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THE FATE OF DIETRICH FLADE



THE FATE OF DIETRICH FLADE.

By Professor GEORGE L. BURR, Cornell University.

When, just three hundred years ago, in the spring of the year 1589, it was whispered abroad in Europe that no less a personage than Dr. Dietrich Flade, of Trier,¹ city Judge of that oldest of German towns, Dean of its juristic faculty, ex-Rector of its university, a councillor of the Archbishop-Elector himself, had been put on his trial for witchcraft, men turned with a shudder of interest to watch the result. And when, in mid-September of that year, there came the further tidings that he had been convicted on his own confession and burned at the stake, pious folk everywhere drew a long sigh of relief that at last a ringleader of the horrid crew of Satan had, spite of money and influence, been brought to the fate he deserved. No voice anywhere was raised in protest or in question. No word of pity found its way into print.

But never again, even in Germany, did the persecution strike so high. Though two centuries of witch-burning followed, Dietrich Flade remains to our day its most eminent victim in the land of its greatest thoroughness. And in these later years of failing faith men have dared to ask whether he was, after all, guilty of the preternatural crime laid to his charge, and to wonder what other cause may have brought the accusation which cost his life. Wide has been the field of conjecture. Was he, perhaps, a martyr who brought suspicion on himself by opposing the persecution of others? Was he a heretic, whose politic foes found

¹ Better known to us, though a German city, by its Gallicized name of Treves, or Trèves.

it easier to burn him as a witch than as a Protestant? Was he only a corrupt magistrate, for whom this seemed the most convenient method of impeachment? Did he but owe his death to the malice of some spiteful criminal,—to the cunning of some private foe,—to the greed of some heir who coveted his wealth? Each of these theories might be sustained by contemporary hints, and either is but too sadly plausible in the light of what we know of his time; but the scholars who have thus speculated as to the fate of Dietrich Flade have been forced to add that the one document which might have answered their question—the minutes of his trial—has long been lost to research.¹

That document lies before me²; and it is upon the basis

¹ What has been known about Flade is, all told, very little. Just before the middle of the last century, Hauber, stirred to curiosity by the allusion of Delrio, discussed his fate in the chapter of his *Bibliotheca magica* which has remained the main source for all later historians of witchcraft; but, beside Delrio, Hauber had no materials save the bare mention by the contemporary Cratopolius. Later in the eighteenth century, the eminent Trier historian and Vice-Bishop, Hontheim, gave to Flade a foot-note of sympathetic appreciation; while the Trier jurist, Neller, on the other hand, blackened his fame by resurrecting for a student's thesis the Elector's letter to the theological faculty (see page 36 below). In 1817, the city librarian, Wytttenbach (in his *Versuch einer Geschichte von Trier*, published as a serial in the *Trierischer Adresskalender*, 1810–22), would gladly have told more about him; but the records of his trial, which were known to have shortly before existed at Trier, Wytttenbach could not find, though he found men who had read them. In 1818, however, the Echternach antiquary, Clotten, produced what seemed fragments of them. They were printed by Müller (in the *Trierisches Wochenblatt* for 1818, Nos. 49–51), and were afterward given to the city library at Trier, in whose keeping they still are. When, a few years later, the two last-named historians (Wytttenbach and Müller) published their edition of the *Gesta Trevirorum*, they added to its third volume (1839) a valuable note on Flade. The later histories of Trier, including even the elaborate work of Marx, add nothing to our knowledge of him. The article upon him, by Professor Dr. Kraus, in the *Allgemeine deutsche Biographie* contributes, however, one or two fresh facts.

² Since 1883 it has been in the possession of the President White library at Cornell University. Glancing through an old-book catalogue issued, late in 1882, by Albert Cohn, of Berlin, my eye lit on the title of this manuscript. I laid it before President White, who at once, spite of an inaccuracy in the name, divined that it was the trial of Dr. Flade, whose case he knew well through his researches in this field. We ordered it forthwith, and were overjoyed both to secure it and to find it what we had hoped. Of its earlier fortunes I have

of this and of other papers¹ which have hitherto escaped the historians that I wish to discuss once more the story of his life.

For at least three generations the Flades had been loyal servants of the Electors of Trier. Before the close of the fifteenth century Hupert Flade had left his Luxemburg home at St. Vith to enter the archiepiscopal *Kanzlei*; and he had received more than one substantial recognition of his worth as a secretary before he found himself snugly

been able to learn only that it was for a time in the possession of the well-known Cöln bookseller, Lempertz, who offered it in a catalogue of 1874. Whence it had come into his hands he could in 1886 no longer remember. It was bought from him by a Cöln collector, at the dispersion of whose library it drifted to the shelves of the Berlin dealer. Wytttenbach's words as to its loss are: "Bis auf unsere Zeiten waren die Originalpapiere dieses Prozesses aufbewahrt worden; aber sie sind entkommen, man weiss nicht wohin. Ich habe sie nie gelesen; aber man sagt mir, dass darin der Doctor der Zauberey selbst geständig gewesen." It is possible that, with so much else, they went astray during the French occupation. I hope to print the manuscript as an appendix to my forthcoming catalogue of the President White collection on witchcraft. It is a folio, neatly written in a *Kanzlei* hand familiar to the contemporary records at Trier. Of its original 126 leaves, the first is detached and sadly worn; the second is wholly gone (I have fortunately been able to supply its contents from the fragments at Trier), while ff. 105, 106 (a part of Flade's confession—the later *Urgicht* suggests their substance) have been rudely cut out, their stubs remaining. Else the document is complete, beginning with the first calling together of the court, and ending with the execution. The Clotten fragments (see last note), still preserved at Trier, were never a part of it, but are rather the original papers from which this final protocol was drawn up. They comprise: (1) Most of the Fath report, in what I believe the handwriting of that commissioner; (2) all the miscellaneous reports therewith submitted to the court by the Elector (see note on page 32 below); (3) the minutes of the proceedings connected with Flade's arrest, in the handwriting of the court clerk, Wilhelm von Biedborgh; (4) three more or less complete reports of the first examination of Flade, partly in the handwriting of Biedborgh, partly in a *Kanzlei* hand resembling that of our own protocol. These could not have been what Wytttenbach's informant had seen, for they contain nothing of Flade's confession, nor indeed of his trial proper. A brief account of our own manuscript, by Dr. William H. Carpenter, now of Columbia College, was published in the library bulletin of Cornell University in April, 1883.

¹ Of these the most important are: (1) The annual reports, manuscript and printed, of the Trier Jesuits; (2) the remains at Trier of the judicial records of the witch-trials; (3) the significant passages of Brouwer and of Binsfeld. There has been, indeed, hitherto no attempt at investigation of the case.

established as Cellarer, or Steward, of the Electoral estates at Pfalzel, on the Moselle, just below Trier.¹ His son, Johann,² the father of Dietrich, rose to the responsible position of town clerk of the neighboring city itself.

When Dietrich Flade was born, or where he gained his education for the law, does not appear. Inheriting position and wealth, he would seem to have early devoted himself to

¹ Thus, on December 31, 1495, the Elector "verschreibt dem Hupert Flade eine iahrrente von 4 malter frucht und 4 ohm wein"; on June 25, 1499, he "giebt seinem kanzleischreiber Hupert Flade von St. Vyt und dessen ehfrau Margaretha Kellners von Ellenz anstatt einer weinrente von 4 ohm, auf lebenszeit einen wingert zu Fankel"; and on June 28, 1499, he "belehnt denselben Hupert Flad mit 4 wingerten zu Ellentz" (Goerz, *Regesten d. Erzb. zu Trier*). These last gifts were, perhaps, on the occasion of Hupert's marriage. Both Fankel and Ellentz are on the Moselle, near Cochem, whence the deeds of gift are dated. That Dietrich was a grandson of Hupert, there can, I think, be little doubt. In the *Neue Zeitung* of 1594 (see note on page 45 below), the ill-fated judge is himself spoken of as "von Kochheim an der Mosel." That Hupert Flade became later Electoral Cellarer at Pfalzel, we know, on his own testimony, from a paper (in codex 1753 of the Stadt-Bibliothek at Trier), dated "anno 1504 more Trev.," drawn "durch mich Huprechten Flade von Sant Vyt Kelner zu Paltzel," and signed "Hupt Flade." That Dietrich Flade, too, held property at Pfalzel is known to Dr. Kraus (see his article on Flade in the *Allgemeine deutsche Biographie*) from the Pfalzel church records.

² That Johann Flade was Dietrich's father is assumed without question by Wytenbach and Müller (in their note to the *Gesta Trev.*), and is certainly probable. In a manuscript still preserved in the City Library at Trier, an account of "Wie Frantz von Sieckingen den Stift beschediget und . . . diess Stat Trier belegert hait" in 1522, compiled from the city records by order of the Rath, and written by Johann Flade's own hand, he speaks of himself as "mech, Johannem Flade vonn Sant Vyt der Stat Trier Secretarien." He still held this office in 1556 (Hontheim, *Hist. Trev. Dipl.*, ii.), but in 1559 had given place to a successor (Peter Dronkmann).

As to the proper spelling of the name Flade, there can be no doubt; for, though it appears under various disguises (Flad, Fladt, Vlaet, Fladius, Vlaetius, Flattenus) in contemporary sources, all the autographs of the Flades agree in this form. There lies before me an autograph receipt, given officially by Dietrich Flade, June 28, 1587 (I owe it to the scholarly generosity of Dr. Conrad Cüppers, of Cöln), in which he signs himself "Dietherich Flade doctor | Chfl. Tr: Rhat vnd Schultes | zu Trier." The seal (*Petschaft*) attached bears his arms and the initials "T. F. | L. D." (Theodoricus Flade, Legum Doctor?) I have found among the documents of the Trier City Library only two bearing his signature, though there are several in his handwriting. Dr. Kraus (in the *Allg. deutsche Biog.*) cites two other signatures. All are written "Flade."

political life; and we first meet him, in 1559, as a councillor of Johann VI., the ablest and most energetic of the Electors of Trier in that half-century. It was the critical time of the Protestant attempt to introduce the Reformation into Trier, and the young jurist was added to the important Commission charged with the suppression of the disorder.¹ A fellow-member of that Commission, the Cathedral-Dean, Jacob von Eltz, became eight years later the successor of Johann VI. on the archiepiscopal throne; and it was probably to Jacob III., whose best claim to the gratitude of posterity lies in his care for the courts of his province, that Dietrich Flade owed his appointment to one of the highest judicial positions in the land—the headship of the civil court at Trier, which carried with it an assessor's seat on the bench of the supreme tribunal of the Electorate at Coblenz.² And when, a few years later, he was honored with the degree of Doctor of the Civil and of the Canon Law,³ a career

¹ "Sexto Septembris" [1559], says Brouwer (*Annales Trev.*, ii., p. 389), "junxere se Principis legatis Jacobus ab Eltz templi primarii Decanus, . . . Theodoricus Fladius, et Jacobus Henselius jureconsulti." (Yet, a little earlier, Brouwer names the same "Theodoricus Fladius" among the members of the original Commission—a manifest inconsistency, and doubtless an oversight.)

² His appointment dates, perhaps, from the Elector's "*Reformatio judicii scabinalis Trevirensis*," in April of 1569. In July of that year the edict reorganizing the Coblenz court, names among the assessors "Diederichen Flade, unsern Schultheisen zu Trier, etc." (Hontheim, *Hist. Dipl. Trev.*, iii.). The office brought with it, too—in Flade's case, at least—the judgeship of the jurisdiction of the Cathedral Provost at Trier. Thus, in a collection of "Urfehden," etc., of the Domprobstei, from the years 1581–93 (codex 1500 of the Trier Stadt-Bibliothek), an Urfehde of July 29, 1581, is in his handwriting, and a slip of December, 1583, is addressed to "d. Ern. u. Hochgel. Herr Dietherich Flad, als Schultheiss der Dhom Probsteien zu Trier." Very vivid becomes his relation to the criminal justice of the city, as one comes upon a note to him (of May 9, 1572) announcing that the town council "sei willigh Iren Ern: wie von alters den armen gefanghenen menschen mit seiner urgicht, so ihn Sant Simeons Thorn [the old Roman *Porta Nigra*] gefanghen ligt, zu lieberen"; or when one finds, appended to the protocol of the trial of the robber Sontag of Crittenach, in 1574, an account of his formal surrender by the city authorities to Dr. Flade, with the formulæ spoken by the Stadt-Zender and the Judge, respectively.

³ At some time between 1570 and 1573. An autograph letter of Flade's to the Elector (in codex 1775 of the Trier Stadt-Bibliothek), dated February 6, 1570

successful and happy seemed assured to him. By his sovereign, at least, he must have been counted a not unworthy servant; for when, in 1580, the decision of the Emperor Rudolf put an end to the century-long struggle of the city for its civic independence, and the triumphant Elector reorganized the government of the town, the jurisdiction of the city court was greatly increased and Dietrich Flade remained at its head, receiving in virtue of his office not only an important seat in the newly framed town council, but becoming the Vice-Governor of the city.¹

Nor was his domestic outlook less bright than his public one. His wife, a Homphaeus of Cochem,² was a kinswoman of the great Emmerich humanist of that name; and her brother, Christoph, a fellow-jurisconsult in the service of the Elector, had, though a layman, been for a time entrusted with the weighty duties of the Officialate at Trier, while another brother, Peter, was Dean at Pfalz. His own

("1569 more Trev."), shows that he had not then the title; while a report (in the same codex), of July 2, 1573, is signed by him as "Dietherich Flade doct.:" The source of the degree was, very probably, the University of Trier. It was not necessarily an honorary one. Wilhelm von Biedborgh, already, in 1572, Flade's colleague as court clerk (*Gerichtschreiber*), was *examined* for the doctorate by that university in 1588.

¹ Hontheim, *Hist. Trev. Dipl.*, iii.

² This is an inference from his uncle's relationship to the children of Christoph Homphaeus. It is, of course, quite as possible that the latter married Flade's sister; but Flade himself speaks to the Elector (see page 36 below) of "meiner lieben haussfrauen solcher ansehnlichen freundschaft," and this tallies well with the Homphaei.

³ For the brothers Homphaeus, see Hontheim, *Hist. Trev. Dipl.*, ii., pp. 550, 553, 554, iii., p. 44, and Marx, *Geschichte d. Erastists Trier*, ii., p. 494. In 1576, Agricola dedicated a poem to these two "durch Gelehrsamkeit ausgezeichneten Söhnen des Christoph Homphäus zu Cochem" (Marx, ii., p. 511). Peter, the Emmerich teacher, is said to have been the uncle of these two. For Flade's relationship, see Flade trial (it is thus that I shall cite the manuscript described above, p. 2), pp. 70, 80, 130, and also pp. 29, 33, 34, of the present paper. Christoph Homphaeus died not later than 1587. The younger Peter (see p. 28 below), who himself narrowly escaped trial for witchcraft, lived till 1600. Thirty years he was Dean at Pfalz, and twice was Rector of the University of Trier.

brother, Dr. Franz Flade, was high in favor at Speyer.¹ At least one son, too, had come to gladden his home.²

But the storm that was to rob him of fortune, fame, and life was already brewing all along the horizon. The witch-trials, which, during the earlier part of the century, had appeared only sporadically, were settling here and there into organized persecutions. In the neighboring Lorraine, the terrible Nicolas Remy was already exercising that judgeship, as the fruit of whose activity he could boast a decade later of the condemnation of nine hundred witches within fifteen years; and just across the nearer frontier of Luxemburg, now in Spanish hands, the fires were also blazing.³ Nay, the persecution had already, in 1572, invaded the Electorate itself.⁴ It was in that year that, in the domain

¹ See Flade trial, p. 89, and p. 29 below. He, too, at the beginning of his career, had served the Elector of Trier; at least, a "Dr. Franz Fladt" is mentioned (by Marx, i., p. 377, citing v. Stramberg's *Moselthal*) as taking part, on December 1, 1566, in the forcible re-establishment of Catholicism at Cröff, in the "Cröverreich."

² Flade trial, p. 38.

³ Remy's book, on whose title-page this boast is made, was, indeed, not printed till 1595; but he cites no cases later than 1591. He mentions none, it is true, earlier than 1581; but he expressly tells us in his preface that not till he had been five years active as a witch-destroyer did he begin taking notes for his book. Of at least one Luxemburg trial, of 1580, a fragment remains at Trier. It must be remembered that both Lorraine and Luxemburg were in the archdiocese of Trier. In Alsatia the persecution had been raging since 1570. In the Lutheran county of Sponheim, lying just east of Trier, and cutting the Electorate nearly in two, we hear, in 1573, of several witches imprisoned and tortured at the Wartelstein, near Kirn; and, in 1574, of one at Castellaun. (See Back, *Die evangelische Kirche zwischen Rhein, Mosel u. Nahe*, iii., pp. 249, 250, 352.)

⁴ It is, of course, not my purpose here to narrate the history of the witch-persecution at Trier, save in so far as is necessary to explain the fate of Flade. I have, indeed, long hoped to devote a study to that episode, which has seemed to me of an importance quite unique in the history of witchcraft; and during two stays abroad, in 1884-86 and 1888, I was able to gather for its illustration not a little which has been of incidental value to the present study. Beside parts of the minutes of three or four of the trials, all that has been published upon it is: (1) a little pamphlet, printed in 1830 by the Trier antiquary, M. F. J. Müller, under the title of *Kleiner Beitrag zur Geschichte des Hexenwesens im XVI. Jahrhundert*, which is an account of only a single manuscript source (the St. Maximin witch-register—see note on page 20 below); (2) a

of the abbey of St. Maximin, whose long contest against the temporal jurisdiction of the Elector had been closed by an imperial decision in 1570, a poor creature named Eva, from the village of Kenn, imprisoned and convicted on a charge of child-murder, was dragged from her cell and, in the absence of the magistrate, tortured further into a confession of witchcraft. Two old women implicated by her went with her to the stake; and two more victims of her accusations were still under the torture when our record of the episode breaks off.¹

magazine series (with a running appendix of witch-trials), by the Coblenz jurist, A. F. J. Liel, on *Die Verfolgung der Zauberer und Hexen in dem Kurfürstenthume Trier* (in the *Archiv für Rheinische Geschichte*, i., 1833), which unfortunately broke off with a mere introduction; and (3) the little contribution of Dr. Hennen, to be mentioned in my next note.

¹ For the details of this episode, see the little pamphlet published by Dr. Gerhard Hennen, in 1887: *Ein Hexenprozess aus der Umgegend von Trier aus dem Jahre 1572*. There is every internal evidence that the case of Eva of Kenn was the first witch-trial in its region. The prime mover in the outrage I believe to have been Peter Omsdorf, notary of the ecclesiastical court at Trier, whose acquaintance we shall make later (see p. 29 below). It was he who, in the absence of both Amtmann and Schultheiss, took down Eva's first examination for witchcraft. The man implicated by her confession as to her child, sent a friend to prefer this charge against her: "darauff ist die Arme Person herauss genommen und daruber in gegenwurtigkeitt Meiers und zweyer Schöffen auch dess Ernhaften Petri Omsdorff Notarien in meinem abwesen verhörrt worden." What power belonged to the notaries in these rural courts may be gathered from the words of a Trier jurist (Nicolaus Hontheim, *De arte Notariatus*, cited by Marx, *Geschichte d. Erastifts Trier*, ii., p. 86) of the beginning of the following century, who says that "da sei es denn vorgekommen, dass, wenn Angeklagte auf die Folter gebracht worden, die Richter im Wirthshause bei Tische gesessen hätten, während Der, welcher den Schreiber machen und das Protokoll führen sollte, die Fragen an den Angeklagten gestellt, die Folter gesteigert, mit Stacheln den Inquisiten gestochen, Streiche ihm versetzt, brennende Fackeln an ihn gehalten und den Scharfrichter gemacht habe." The record, in Omsdorf's own handwriting, is inserted at the end of a collection of the Scheffen-Weisheiten, or common-law maxims, of the villages within the jurisdiction of St. Maximin, made (doubtless in pursuance of the subordination of the abbey by the imperial decision of 1570) by the hand of Wilhelm von Biedborgh, court clerk at Trier. The volume containing it was, when I first used it (in 1885), still the property of a village wife at Fell; but it is now in the hands of an eminent professor (Dr. Reuss, of the theological seminary at Trier), to whose courtesy I owe the privilege of a re-examination. There is much in the trial of Eva of Kenn to mark it as the earliest in its series; and

Of this occurrence there is no reason to suppose that the city court, a dozen miles away, had any official cognizance; and it is interesting to note that in the new code for the government of the town the crime of witchcraft is not so much as mentioned.¹ The prime source of the epidemics of witch-persecution was, however, not forgotten: the torture was amply provided for.² And it was not long before a chance for its use presented itself.

Yet not under the administration of Archbishop Jacob III.; that prelate passed away in 1581. Again it was a colleague and associate of Dietrich Flade who succeeded to the See—Johann von Schönenburg, Provost of the Cathedral and, since the reorganization of the city, Governor of Trier. Of noble birth, like all his brother canons at Trier, and, like most of them, not yet in priestly orders, Johann VII. was yet in person and in bearing the very type of the parish priest. His piety is lauded by all his biographers; and no one who has studied for a moment his pinched face, as portrayed for us by the art of his contemporaries—the thin lips, the straight, sharp nose, the feeble beard straggling over lips and chin, the tense lines of cheek and brow, the soured expression—a face that bespeaks not more the sick man than the bigot—will doubt the truth of their verdict.³

that the persecution at this time went little, if any, further, is rendered probable by the fact that no other witches than these are mentioned in the extant confessions of the later witches of the region.

¹ Various other crimes are named. The code (*Reformatio senatus et ordinatio civitatis Trevirensis*, 1580) may be found in Hontheim, *Hist. Trev. Dipl.*, iii.

² *I. e.*, it was provided that torture should be used, according to the provisions of the imperial code of Charles V. It ought, in justice, to be added that, while the *Kursächsische Kriminalordnung* (1572) of Lutheran Saxony and the *Kurpfälzisches Landrecht* (1582) of the Calvinist Palatinate, with the lesser Protestant codes based upon them, went beyond the Carolina in making witchcraft, *even without material injury*, a capital crime when it involved dealings with the Devil, Catholic Trier, spite of clerical and Jesuit influences, was from first to last, as to witchcraft, content to abide by the Caroline code.

³ These traits are especially noticeable in the portrait of him which hangs in the great hall of the Electoral palace at Coblenz; less so, in the face of the kneeling figure on his tomb in the cathedral at Trier, which, made after his death, I suspect to be much idealized. Somewhat more flattering, too, is a

Already past the meridian of life,¹ he was fast breaking beneath the painful diseases which were soon to make him a chronic invalid. His election to the Archbishopric he perhaps owed to his affection for that enthusiastic body of men which, at Trier as throughout Europe, in pulpit and confessional and professor's chair, had for twenty years past been turning the world upside down—the Jesuits. To them his predecessor had been devoted, and to them throughout his life Johann VII. turned, with a fondness chronicled alike by themselves and by their foes, and attested by a lavish generosity in strange contrast with the misery of his people.²

Who can wonder, then, that the first work of his reign was the rooting out of what was left of Protestantism at Trier? A few stubborn heretics were banished, the rest converted, at least nominally—their confessors could be trusted to complete the work. Then followed the banishment of the Jews from the whole Electorate. What remained but the extirpation of those subtlest servants of Satan—the witches?

In this third task another prelate was to have a more famous share than Johann himself. This was the Vice-Bishop (Weihbischof) of Trier, Peter Binsfeld. For long, since the Archbishop-Electors had become scarcely more than lay princes, the more purely ecclesiastical functions

gold medal of him, "æt. 62," in the museum of Trier. More like the Coblenz painting in expression are the engraving in Khevenhiller, *Ad annales Ferdinandi*, and that upon the map of his electorate in Quad's *Fasciculus geographicus* (Cöln, 1608).

¹ As to the date of his birth, authorities differ, varying from 1525 to 1531. The inscription on his monument makes him seventy-four at his death in 1599.

² See Linden (in the *Gesta Trev.*) and Brouwer *passim*; also Reiffenberg, *Hist. Soc. Jesu ad Rhenum Infer.*, i. Say the Jesuit *Litteræ annuæ* of 1581: "Joannes Schonebergh Præpositus, nostræ Societatis amantissimus, in demortui locum suffectus est." Trier had long ceased to be the residence of the Electors; and, as Johann's health failed, he withdrew more and more even from Coblenz and dwelt with his clerical household in remote castles or abbeys, such as Grimburg and Prüm. It is a strange and notable fact that the private physician of Johann, from his accession to the physician's death in 1591, was Heinrich Weyer, a son of Dr. Johann Weyer, the first great assailant of the witch-persecution.

of their office and the general management of church affairs had fallen into the hands of the Vice-Bishop, whose dignity the Pope was wont to heighten by conferring on him a titular bishopric *in partibus infidelium*. Peter Binsfeld, Bishop of Azotus and Vice-Bishop of Trier, though born in the diocese,¹ had distinguished himself as a zealous pupil at the Jesuit college for his countrymen at Rome, where he had won the master's degree in theology, and had come back with a papal commendation to a position in the Elector's gift. Having won himself favor by the relentless vigor with which he purged from heresy and insubordination the historic abbey of Prüm, he was in 1580 raised to the vice-bishopric. Active, disputatious, pedantic, a master of the scholastic logic of the day, as well as of a facile Latin style, and, as became his Jesuit training, devoted to the mediæval dogmas of his church and to the order from which he had learned them, he became a pillar of the faith at Trier in every field of thought; and from his pen, in 1589, came that learned defence of the credibility of the witch-confessions which for a century played the part of a code to the witch-persecutors of Germany, Protestant as well as Catholic.²

¹ Two seemingly contradictory accounts are given of his origin: one, that he was born "ex spectata gente sub archidiocesi Treverica" (from the Luxemburg village of Bollendorf, say some); the other, that Abbot Johann VIII. of Himmerode, "Petrum Binsfeldium, observata latentis ingenii indola, a stabulo et domesticis Himmerodii servitiis ad Musarum castra traduxit." Both stories may be found in the *Metrop. Eccl. Trev.* of Brouwer and Masen (i., p. 69; ii., p. 131). Dr. Kraus (in the *Allg. deutsche Biog.*) follows the latter; but Hont-heim adopts the former, and Dr. Binsfeld, Gymnasial-Director at Coblenz, a descendant of the Bishop's brother, has told me that he has a genealogy of his family establishing the truth of this theory.

² His *Tractatus de confessionibus maleficorum et sagarum*, Trier, 1589, bearing on its title-page the significant motto: "Maleficos non patieris vivere." Revised and enlarged by the author, it was reprinted in 1591, with the addition of a commentary on the Roman law's chapter *De maleficis et mathematicis*. Again revised, the double work reappeared in 1596; and after the author's death it was reprinted in 1605, with his collected works in 1611, and finally in 1623. Twice it was translated into German—at Trier in 1590, and at Munich in 1591—not to mention sundry works which are scarcely more than paraphrases of it.

Yet there is no reason to believe that in the beginning of the witch-trials at Trier either the Archbishop or his suffragan had any part. The election of Johann von Schönenburg left his deputy, Dietrich Flade, for a time Acting Governor of the city. It was during his incumbency of this office as well as that of Judge that there took place what there is reason to believe the first trial for witchcraft at Trier.¹ Not from the side of Zell did the accusation come, but from Saarburg, a score of miles in the opposite direction. In the summer of 1582 the hue and cry was there under full headway.² Witches had already been burned, and on June 7th an "extract" from the confession of one of these was officially forwarded to the court at Trier, accompanied by a letter from the magistrate at Saarburg to the authorities of the city.³ It was a charge of complicity against one Braun Greth (Margarethe Braun ?⁴), a matron of Trier. After an interval of more than a month, devoted perhaps to the gathering of further evidence, Braun Greth was arrested and put on her trial. Under the torture the poor woman confessed to sad shortcomings, but persistently protested her innocence of witchcraft. Again and again fresh evidence warranted fresh torture, and the trial dragged on through three whole months. But when, on the sixth application of the torture, nothing worse could be wrung from her than that she was indeed a poor sinner and had sometimes eaten broth on a fast-day, her judges must have been satisfied. She had herself naïvely offered her tormentors to

¹ We read, it is true, in the Jesuit *Litteræ annuæ* of 1577, the significant sentence: "Nec veneficis ad supplicium productis opera defuit." But this may easily have been at Saarburg; for the activity of the fathers, as we shall have occasion to note, was by no means confined to the city.

² A Saarburg woman, named Falcken Greth, had been accused by Eva of Kenn in 1572. But the persecution may have crept down the Saar from Lorraine.

³ The Saarburg magistrate, Dr. Quad von Landskron, was a man of birth and influence, later (1588-1600) Cathedral Provost and Chor-Bischof at Trier, where we shall meet him soon. He was a nephew of Archbishop Johann VI. and uterine brother of Lothar von Metternich, who was to succeed Johann VII. in 1599 (Brouwer and Masen, *Metrop. Eccl. Trev.*, i., 157).

⁴ It is, of course, doubtful whether this ought to be taken as a surname.

go into exile and never again—German fortitude could no further go—to lie upon a feather-bed; and, as she does not reappear in later records, it is highly probable that her acquittal was followed by her banishment. Judge Flade had, as the law required, personally conducted her examinations; and, though there is little in the record to suggest conscientious scruples on his part, the stout denials of Braun Greth in the face of the most damning evidence may well have set him thinking.¹ Of no other witch-trial under his presidency have the minutes come down to us, and for more than three years we hear of no other case at Trier itself.

Meanwhile through all the country-side the superstition grew apace. There was enough to make the peasant think the weather bewitched. During the whole eighteen years of Johann's reign there were only two tolerable harvests. To add to the distress, troopers from the seething religious war in the neighboring Netherlands came ravaging over the border, the Spaniards not less than their Protestant foes. The lower Rhine was in the hands of the Dutch, who cut off the supplies which might have found their way up the river, and especially the fish so necessary to the long and frequent fasts of a Catholic land. Robbers, too, beset all the highways and only laughed at the feeble police of the prince whom they nicknamed "Johann the Sickly." Prayers and processions seemed of no avail. In vain did the

¹ The exceedingly interesting minutes of the trial of Braun Greth—all, save the Saarburg extract, in the crabbed autograph of the court clerk, Wilhelm von Bitburg (or "Wilhelm von Biedborgh," as he always writes his own name)—are still preserved at Trier (in codex 1583 of the Stadt-Bibliothek). They break off at the close of her sixth examination, and are perhaps incomplete. There is nowhere in them intimation of earlier trials at Trier, and there is much to suggest the court's want of practice in such cases. We hear, in the proceedings against Braun Greth, of the trial and confession of a Margaret of Lenningen, who had certainly been at one time a woman of Trier; but, had she been tried at Trier, it is unintelligible that she was not confronted with Greth, whom she had accused. It is more likely that her case belonged to one of the rural jurisdictions, or perhaps to Lenningen itself, a Luxemburg village. That Greth's daughter, though also accused by the Saarburg witch, was not indicted, is clear from the minutes of her mother's trial; and there is no ground for supposing that the persecution went further at Trier.

Archbishop in the spring of 1585 display for three days at Trier to his despairing subjects the Holy Coat of Christ: the mice damaged the grain-fields, the rain nearly ruined the vintage, the Rhine was again blockaded. What wonder that men were bitter against those to whose malignity all this was thought to be due?¹

And, whatever may have been the doubts as to witchcraft of the leading magistrate at Trier, he had now a colleague who was troubled by none. The vacant governorship had been filled by the appointment of the Freiherr Johann Zandt von Merl. Born of an ancient noble family of the Electorate, the new incumbent was hereditary bailiff of Zell, and held, beside his governorship, the position, half judicial, half administrative, of Amtmann of the two widely sundered jurisdictions of Pfalzel and Grimburg.²

It was into this remote district of Grimburg, lying on the farther slopes of the Hochwald, and adjoining the jurisdiction of Saarburg, that the witch-persecution seems next to have found its way.

"Often," write the Jesuits of Trier in their report for 1585,³ "have our priests been summoned to the witches, whose

¹ The best account of the hardships of this time is that of Mechtel (in his *Chronicon Limburgense*, printed in Hontheim's *Prodromus*—the original is at Trier), a native of Pfalzel, who, though writing on the Lahn, had heart and pen for all that concerned his home. With him Linden and Brouwer fully concur.

² As "Johann Zandt von Merl, Erbvogt [zu Zell] im Hamme, churfürstlicher Stadthalter zu Trier, Rath und Amtmann zu Pfalzel und Grimburg," he appears in the official documents of the time. Such grouping of jurisdictions was common. 1584 was perhaps the year of his appointment to all three; for Mechtel (*Chron. Limburg.*, s. a. 1395) speaks of him as "anno Domini 1585. nobilis Joannes Zandt à Merl, satrapa in Palatiolo noviter constitutus," and Zandt himself said in 1591 to Nicolas Fiedler (I quote from the MS. of his trial) "Ir mir jetzt im achten jahr, dass ich im dienst der Statthaltereyen, vleissigh beigestandenn."

³ These *Litteræ annuæ*, sent up yearly from each Jesuit college to the Provincial, were later (sometimes after an interval of several years) gathered up into volumes and printed for circulation in the order. Dealing mainly with the pastoral and missionary activity of the society and abounding in anecdote, they are full of interest for the history of the civilization of their time. It is from these that the great Jesuit advocate of witch-persecution, Delrio, largely

number here is very great, and have attended them even to the place of punishment; and through God's goodness it has been brought about that with great grief for their sins they have died piously even amid the torments of the flames." And they add an anecdote which not only suggests the whereabouts of their activity, but for him who will read between the lines has a more direct bearing upon our story. "Among these witches," goes on the report, "there was one who had beguiled by her arts a boy of eight, and was wont to take him to the place where at night they gave themselves up to their devilish doings, in order that while they danced together he might beat the drum; and he was often present when they were plotting witchcraft against others. This boy the Archbishop ordered to be brought to Trier, that he might be taught his catechism by us (for he was completely ignorant of Christian teaching, not even knowing the Lord's prayer). And while our priest was testing his mind in various ways, he noticed that the cord of the sacred waxen image of *Agnus Dei* which he had hung about the boy's neck had been twisted and tied with knots as if broken. Asking the reason, he learned that the Devil had visited the boy in the night, had scolded him sharply for letting himself be so easily won over, and had bid him fling away the thing hanging on his neck, unless he wished to be flogged. The frightened boy had done his bidding, and of a sudden had been snatched away to the walls of the city. There he

drew the modern instances in which his book is so rich. Even in their printed form, however, the *Litteræ* are excessively rare; and they were never printed at all until 1581. But there is at Trier in manuscript (codex 1619 of the Stadt-Bibliothek) a precious collection of the originals for the Jesuit province of the Rhine: the *Annua Provinciae Rheni* for nearly all the years from 1573 to 1590. That they were the copies actually received by the Provincial at Mainz is clear from the fact that, from 1573 to 1583, they are signed in autograph by him or by his deputy. For those of the missing years (1575, 1578, 1579, 1581) I have sought in vain, not only at Trier, but at Mainz, Darmstadt, Würzburg, and elsewhere. A comparison of these manuscript *Litteræ* with the printed forms of such as were published shows great variation, but only in diction and style—clearly the work of an editor. It is from the manuscript *Litteræ*, therefore, as nearer than the printed ones to the events they record, that I translate the passages so important to the present study.

found a black goat, and, mounting it, was borne in briefest space to the wonted spot of the vile sport of the witches; and, when all was at length over, was brought back to the palace. Many things the boy revealed which the confessions of witches have since proved true. So the Governor of the city, in the name and by the authority of the Archbishop, asked that the boy might be taken into our school until he should be properly instructed in religion, so that afterward, living at the palace, but attending the sacraments with us, he might be safe from the wiles of demons; and this was done."

Now, the Governor of Trier who showed such solicitude for the boy's welfare was Johann Zandt von Merl, Amtmann of Grimburg; and when, three years later, this same magnate was asked if any of the witches at Grimburg had testified against Dietrich Flade, he remembered that a lad, Jeckell of Reinsfeld, who had been led astray by the witches, and who had been brought to Trier and given over to the Jesuit fathers, had been privately examined at the palace by himself and the Landhofmeister, and had confessed that, on his night-excursion from Trier to the witch-sabbath, he had seen there "certain from Trier."¹

The year 1586 saw no decline of the persecution. In the spring of that year one witch at least was tried and condemned at Trier itself.² Pestilence followed famine, and

¹ Flade trial, p. 128. The identity of Jeckell of Reinsfeld with the boy of the Jesuit story would seem unquestionable, were it not for a startling passage in the *Litteræ* for 1587. There, following the tale of Matthias of Weisskirch (see pp. 21-24 below), we read: "Alter juvenis simili Sathanæ fraude delusus ante triennium nostris traditus, solemnî Ecclesiæ ritu fuerat liberatus; sed ad vomitum reversus, iterum ab errore resiliit, et paulo post miserandum in modum a sagis agitatus decessit." Had Johann Zandt, then, found it necessary to put his boy-accomplice out of existence? But, in 1588, he testified of Jeckell of Reinsfeld that "der junghe ist noch im leben zu Reinssfeldt bei seinenn eltern." It is to be noted, however, that he was never produced, though the Elector himself (Flade trial, p. 34) requested that he be brought and confronted with Flade. The Landhofmeister here mentioned must have been that Anton Waldpot von Bassenheim who in 1589 was shot down by robbers. A decade later, at the accession of Archbishop Lothar, we find Johann Zandt himself filling that high post.

² One "Barbell von Nittell weyssgerberß zu Trier, so gefangen," is accused in May, 1586, by a witch of Päschel, in the jurisdiction of Saarbûrg, and is

everywhere men demanded more summary vengeance on the servants of Satan. "In this year, and those next following," writes an eye-witness, the Jesuit Brouwer, "feminine duplicity mocked the public distress by witchcraft; and Satan himself trumped up here another Circe, as it were, to wreak cruel woes on mortals, to bewitch to death the cattle, to ruin the harvests, and to stir up tempests by her arts. And what carried the infamy of the horrible thing to the uttermost, was that both rich and poor, of every rank, age, and sex, sought a share in the accursed crime."¹

evidently the same one described two months earlier, by one of an adjoining village, as "Die itzunder zu Trier gefangen ist, sey in weissgerberss." (St. Maximin witch-register: see note on page 20.) Flade himself, too, mentions "die hingerichtete Barbara," who had a daughter, a "weissgerbers," dwelling in the Neue-Gasse (Flade trial, p. 202). That she and only she is named by all three certainly suggests that her case was a solitary one; and from even these mere mentions it is evident that her trial was a more protracted one than those of the rural courts.

¹ Brouwer, *Annales Trevirenses*, lib. xxii. Christoph Brouwer (or Browerus, as he latinized his Dutch name), born in 1559, entered the Jesuit order at Cöln in 1580, and spent some years at Fulda, where he rose to the post of Rector, before he came to Trier to take up, at the suggestion of the Elector Johann, that history of the archdiocese which was to be the great work of his life. If, as his continuator and fellow-Jesuit Masen (Masenius) tells us, he had at his death in 1617 been at work upon it for thirty years, he must have arrived in Trier about 1587. In 1593 we find him Dean of the "Facultas Artium" of the university there. That Brouwer was a firm believer in witchcraft and in the persecution is clear enough from his pages. As, however, this closing portion of Brouwer's book was for many years suppressed by the Electoral censors, and when suffered to be printed, in 1670, had undergone the changes and additions of Masen, it might fairly be asked whether the important passages I have to cite from him on this subject may not have been inserted or amended by his editor. Brouwer's autograph of the original, at Trier, includes only the first eleven books, but a manuscript by another hand, which completes this down to 1599 (where Brouwer closed his work), shows these passages just as they were afterward printed; and there are at Bonn documents which leave no doubt as to their genuineness. There, in the University Library, is a thin folio containing what seems to be a part of a report of the censors. Its first two leaves are wanting, but its twenty-first page bears the caption: "*Index eorum quæ in Annalibus Trevirensibus Archiepiscopis, Prælatiis, Religiosis, Clero Diacessi minime laudabilia censentur ex libro decimo nono et reliquis necdum impressis.*" Now, among these "minime laudabilia" (which consist mainly of too free utterances regarding sundry dignitaries and religious communities of the province) are specified every one of the passages on witchcraft—

But the prestige of Dietrich Flade suffered as yet no abatement. He was already Dean of the juristic faculty at Trier, and in this year, 1586, he was elected to the Rectorship of the university—the only layman to hold that position in its whole history, from its reorganization in 1562 to its closure in the eighteenth century.¹ His wealth was proverbial. "By his civic zeal, and by his proved loyalty to his sovereigns," writes Brouwer, the Jesuit, "he had earned the judge's position in the city; learned both in public and in private law, greatly valued for his counsels, he had won favor, and fame as well, among the princes of the Empire, and had gathered to himself riches."²

Another autumn and still no harvest. A plague of caterpillars destroyed the vegetables in the gardens. The winter came early, and a long "cold snap" kept the mills from grinding. "God graciously turn away his wrath!" exclaims the chronicler. But the spring of 1587 crept in late and slowly. Men died of hunger. Much rain delayed the crops. The end of the world, said some, will come in 1588.³

Down the Saar and the Moselle into the jurisdictions just outside the city walls, down the peaceful valley of the Ruwer into the broad domain of St. Maximin, crept the persecution.⁴ Would the Elector never take the matter more sternly in hand?

the account of the persecution, of the attempt to bewitch the Elector, of the fate of Flade, of the recantation of Loos. That, spite of this censure, they were printed, we doubtless owe to the credulity of Masen; but he was not their author.

¹ As to Flade's Deanship, see Hontheim, ii., p. 545, and Neller's *Conatus exegeticus* (described below, p. 36, note). Of the Rectors two manuscript lists are preserved at Trier; and the whole line is printed by Hontheim at the end of his *Hist. Trev. Dipl.*, ii.

² Brouwer, *Ann. Trev.*, lib. xxii.

³ Mechtel, as above.

⁴ That we can trace this step by step, from village to village, we owe to one of the most remarkable relics of the witch persecution: the manuscript which I have called the St. Maximin witch-register. It is a careful record of all those accused of witchcraft by the witches tried in the jurisdiction of St. Maximin from 1587 to 1594, with the addition of all denunciations of St. Maximin witches by those on trial in neighboring jurisdictions (to which a lively interest in the affairs of the city led the compiler to include also all accusations of

Of a sudden—it was in 1587—it was whispered among the members of his household that an attempt had been made to bewitch the Elector himself. A boy present at the witch-sabbath when the plot was made, had confessed the deed, naming the very night when its execution had been attempted. The prelate had become vulnerable by carelessly leaving off at night a waxen *Agnus Dei* which he was wont to wear about his neck; and, though the attempt had not proved fatal, His Grace had declared that on awaking he had found himself so ill that for several days he was not free from the pain.¹ Such was the scant account permitted to the historian; but, fortunately for the story of Dietrich Flade, the Jesuit fathers at Trier thought a more detailed narrative of the occurrence due to their superior. “Through the cunning of the enemy of mankind,” say they,² after

dwellers in Trier). It includes thus the depositions of 306 distinct prisoners (Müller, not noting that two are repeated, counted 308, which his printer made 368—a blunder borrowed by a host of later writers), of whom, however, only about 270 belong to St. Maximin itself. The number of denunciations is a little over six thousand; but, as most of the names recur again and again, the real number of the denounced is not more than a fourth or a fifth of that. The authorship of the volume has been ascribed to Claudius Musiel, because its last pages bear a superscription stating that they deal with the period when he was Amtmann of the jurisdiction; but, for reasons which I will not here detail, I believe its main author and user to have been Peter Omsdorf. That the book was actually in use as a source of accusations admits of easy proof. From it the testimony against Flade was to be largely drawn. The manuscript (a small quarto of some 600 pages) is now in the Stadt-Bibliothek at Trier. It is the main subject of Müller's *Kleiner Beitrag zur Geschichte des Hexenwesens* mentioned above (p. 9, note). Its earliest depositions are of 1586, and belong to Saarburg villages adjoining those of St. Maximin.

¹ So Brouwer tells the story (*Ann. Trev.*, lib. xxii.).

² *Litteræ annuæ* (MS.), 1587. It seems to me best to give here the original of this important passage: “Ejusdem hostis versutia et præstigiis deceptus rusticus, sed perspicacis ingenii Adolescens, annorum 15, ad locum ubi conventus suos habent sagæ, et nefarios choros, commessiones aliaque scelera perpetrant, aliquoties accesserat; nondum tamen Deo ac Deiparæ virgini (quod ritu illorum præscribitur) renuncians, diabolicis mysteriis erat initiatus: felis tamen cerebro in cibum sumpto, proprii cerebri (luna potissimum decrescente) magnam imbecillitatem contraxerat. Hanc tandem civitatem, quam prius viderat nunquam ingressus (quod non tam casu factum videtur, quam dæmonis astu, qui per hunc suos cultores in discrimen adductos volebat) a Præfecto captus in Principis Palatium adducitur, ut ibidem in abdito loco servatus, melius

speaking as usual of the great number of the detected witches, "was also misled a certain youth of fifteen years—a rustic, but keen of wit—who went several times to the places where the witches have their meetings and perpetrate their horrid dances, their feasts, and the rest of their crimes. He had not, indeed, yet renounced God and the virgin Mother of God (as is prescribed by their ritual), and been initiated into the diabolic mysteries; but, having taken a cat's brain at the feast, he contracted (especially as it was in the wane of the moon) a great imbecility of his own brain. He was at length arrested by the Governor and brought to this city, which he had before seen but had never entered (a thing seemingly due less to accident than to the artfulness of the Devil, who wished his followers to be through him brought into danger), and quartered in the Electoral palace, in order that, being kept in a secluded place, he might the

a nostris erudiretur, et malam illam servitutem effugeret: sed cum a sagis et dæmone noctu vexaretur, et crudeliter etiam verberaretur, cerea quoque sacrati agni effigies, quæ collo fuerat appensa, divelleretur, multisque minis ad propositum retinendum sollicitaretur; ad Collegium nostrum Reverendissimi Archiepiscopi jussu adductus, ne ibi quidem hac importuna divexatione fuit immunis, donec cubiculum in quo erat, exorcismis lustraretur, et benedictionibus ecclesiæ ab omni dæmonis infestatione vindicaretur. Post cum in templo nostro ritu Catholico exorcisatur, constanter oculos in vitream fenestram altari proximam defigebat: rogatus Ecquid videret? dissimulavit, quod postea fassus est, se suum dominum (singulis enim maleficis hujusmodi peculiaris præest dæmon quem dominum nuncupant) Sambuco pone fenestram illam insidentem vidisse, per fenestræ foramen sibi minitantem si a foedere secum inito resiliret. Narrabat ille, dum a quæsitore (quod postea ipsi Reverendissimo fassus fuit) examinatur, inter eos, quos indicio suo prodebat, unum fuisse, qui in conventu gloriatus fuerat, se quadam nocte Archiepiscopo, cui in magni momenti officio minister erat, dormienti potionem ingessisse, aditu a Sua Cels. tunc patefacto, quod præter morem Agnum Dei, quem de collo gestat, in mensa cubitum concedens, deposuisset. Sed quia materiæ non satis erat, hac vice mortem evasurum. Nec falsa fuit vel dubia narratio. Exspectatus namque Reverendissimus, licet rei ignarus, talem invaletudinem sensit; ut ad aliquot dies de vita periclitaretur, quousque Medicus salutari poculo venenum malum expulit. Hujus generis alia loquenti, cum non facile fides haberetur, conversus ad urbis præfectum, Quin et tuæ, inquit, vitæ bis insidiatæ sunt, sed quod tecum ferre soles vasculum cui duæ sunt imagines insculptæ, et nescio quid sacrati (Agnum Dei significabat) continet, et ad lectum tuum appendere consuevisti, hoc illis impedimento fuit, quo minus, quod studebant, perficere potuerint. Quæ signa vera esse Præfectus ipse affirmabat."

better be taught by our priests and escape his wretched bondage. But, when he was tormented at night by the witches and the Devil, and even cruelly beaten, and when the waxen figure of consecrated *Agnus Dei*, which had been hung about his neck, was torn off, and he was urged with many threats to go on with what he had begun, then by order of the Archbishop he was brought to our college. And not even there was he safe from this persistent annoyance, until the bedchamber in which he was had been purged by exorcisms, and freed from all molestation of the Devil by the benedictions of the Church. Later, when he was exorcised in our sanctuary according to the Catholic ritual, he kept his eyes constantly fixed on the window nearest the altar; and when asked, 'What are you looking at?' he concealed what afterward he confessed—that he saw his master Sambuco (for in this way is given charge of each witch a special demon whom the witches call master) sitting behind that window and threatening him through the window-slit if he should break the pact he had made with himself. When questioned by the examiner, the boy narrated (what afterward he confessed to the Archbishop himself) that, among those whom he was denouncing by his testimony, was one who had boasted at the witch-sabbath, that on a certain night he had administered to the sleeping Archbishop, in whose service he held an office of great importance, a deadly potion, His Grace being accessible, because contrary to his habit he had on going to bed laid on the table the amulet of sacred wax which he wore about his neck; but that, there being not enough of the drug, the Elector would this time escape death. Nor was the story false or doubtful; for the Archbishop, on awaking, although ignorant of the matter, felt himself so ill that for several days his life was in danger, until his physician expelled the dire poison by a health-giving draught. And, when, as the lad went on to tell other things of this sort, it was not easy to put faith in what he said, he turned to the Governor of the city: 'Nay, your life too,' he said, 'has been twice plotted against; but the little locket you wear, which has two engraved figures cut in

it, and holds something consecrated (he meant *Agnus Dei*), and which you have been wont to hang on your bed, was a hindrance to them, so that they could not carry out what they planned.' And the Governor himself admitted the truth of these statements."

The tale needs no commentary. To us it is full of another meaning than that it bore to the robust faith of the sixteenth century. Something less than magic can explain the boy's miraculous knowledge of the Elector's illness and of the Governor's private devotions. The official thus accused of witchcraft was Dietrich Flade. "Inasmuch," say the records of his trial,¹ "as a young boy named Matthias, born at Weisskirch, led by others into witchcraft, was accused thereof by other executed persons, and was alleged also to have been present at the witch-sabbath, he was, by order of the Governor of Trier, brought to this city in custody; and, being examined, did at once, without torture, freely confess that he had through the seduction of the Devil several times been present at the sabbath,—that there he had seen a great number of richly-clad people, and among the rest two grandees in showy array. Now these, being described by him as to the clothing they then wore and their bodily figure, correspond entirely with Dr. Flade and another, both in their physical proportions and in all other details; and the aforesaid description was afterward confirmed by the fact that, when once the lad followed with others to see a criminal flogged out of the city, and Dr. Flade fell under his eyes, he at once recognized him, and afterward openly declared that he had seen the Meier² of Trier (meaning Dr. Flade, the Judge) at the witch-sabbath, and had met him at the expulsion of the criminal."

¹ Flade trial, pp. 155-157. Weisskirch, like Reinsfeld, was a village in the jurisdiction of Grimburg. My translation tries to follow the awkward syntax of the original. What stress the Elector himself laid upon this testimony may be seen in his letter to the theological faculty (pp. 36-38, below).

² The Meiers, or managers of the Electoral farms, the great men of the country villages, played a large part in the witch-persecution, both as accusers and as victims.

The plot that should cost Dietrich Flade his life was well begun. The all-powerful Jesuit fathers were convinced, the Elector himself terrified. All was now ripe for a formal denunciation which should catch the ear of the courts. This came from the other jurisdiction of Johann Zandt, from Pfalzel. In the summer of 1587 the persecution was there fully under way.¹ On the 8th of July was burned a witch, known as "Maria, the old Meieress," from the neighboring village of Ehrang. She had testified, and without torture, that Dr. Dietrich Flade, whom she knew well, had several times been at the witch-sabbath. And, though the Amtmann himself had thereupon examined the old Maria privately, and exhorted her to do nobody a wrong, she had remained firm as to Dr. Flade till her death. Nay, when brought before the open court for her sentence, and afterwards at the stake before all the crowd, she would have kept shouting out his name if they had not stopped her. To this all the rural assessors of the court later bore witness.²

The rest was easy. No witch, casting about in the torture for some name on which to fasten the accusation her inquisitors relentlessly demanded, was likely to forget that Maria of Ehrang had accused the well-known judge of Trier. The poor witches of the country-side, jealous of the greater exemption of their more prosperous city neighbors, had long insisted that there were town-folk too at the witch-sabbath but had hesitated to mention names. Here was a name for

¹ "In oppidulo prope Treveros Pfaltz dicto," say the Annals of Neuss for the year 1587, "archiepiscopus cremari jussit 118 sagas, duosque viros, eo quod confiterentur se suis incantationibus frigus ad Junium usque commovisse: et cum essent igni proximiores, fatebantur, si adhuc tres supervixissent dies ante suam captivitatem, acutius adeo commoturas fuisse frigus, ut ne viridis apparuisset uspiam ramus: ita ut et vineæ agerque et silvæ hoc anno steriles permanissent." (*Ann. Novesienses*, in Martene and Durand, *Ampl. Collectio*, iv., 521-739.)

² Flade trial, pp. 27, 28, 49, 116-118. Her life, of course, was already forfeit before this accusation was made. What was her reward for making it, it is not hard to guess: it lay in the power of Johann von Zandt, as Amtmann, to burn her alive or mercifully to suffer her first to be strangled. This it was, this and fear of a renewal of the torture, which kept many men and women "firm till death" in their confessions.

them, and a rich man's withal. A month had not passed before another on trial at Pfalzel—"Loch Hans," of Schweich—repeated the accusation of Maria of Ehrang.¹

Johann Zandt was now ready for the next step. "Inasmuch," he said two years later to his colleagues at Trier, "as Dr. Dietrich Flade was a man of ability, learning, and experience, who had long been an Electoral Councillor, was Judge at Trier, and had been Acting Governor of the city, had done the Electorate great service and had discharged many commissions, had served princes and counts, men of noble birth and of ignoble," he would gladly have seen him clear himself of the charges thus growing rife against him. He had himself spoken to Dr. Flade's friends and acquaintances of the matter; but he noticed that none of them was willing to mention it to the accused. Therefore, out of the goodness of his heart, he resolved at last himself to tell Dr. Flade. It was in August of 1587. He invited the magistrate into his garden and told him of the charges made by Loch Hans. Flade thanked him, and asked that the man be more closely questioned.²

But the Judge was too old a lawyer to rest his case with that. It was "general-reckoning day" at Trier; and he immediately drew up a petition to the Elector setting forth his innocence, and begging to be allowed to clear himself legally before the Vice-Bishop, the Governor, the Official, or such commission as the Elector might appoint, and forwarded it by three of his fellow-jurists as they returned down the river. Nor did he stop with this. At the first opportunity he went himself to the Elector at Coblenz, and there, supported by a considerable number of his friends, defended himself in detail before the commission appointed to hear him.³

Meanwhile Loch Hans had clung to his accusation and been duly burned⁴; and the Governor had received instruc-

¹ Flade trial, pp. 118, 119.

² Flade trial, p. 62.

³ Flade trial, pp. 41, 42, 45, 46. His message-bearers were "Johan Beyer der alt, Johan Beyer der jungh Doctor, unnd Gabriell Merll."

⁴ From the *Krämer-Haus* at Trier Dr. Flade himself watched the Governor ride away toward Pfalzel to his execution. Flade trial, p. 119.

tions from court that, if there should be further testimony of the sort, Flade should be told the names of his accusers.¹ There was need of no long waiting. The rumor of his guilt was all abroad, and not only at Pfalzel but in the neighboring jurisdictions of St. Maximin and St. Paulin witches in abundance named him in their confessions; but it was not until the following spring that one was found who suited the purpose of the Governor.

In the meantime the foes of the unhappy magistrate were not idle. On October 3, 1587, the Elector addressed to his lay court at Trier an edict of censure well calculated to undermine the prestige of its president in the eyes of the world. "Forasmuch," said that document,² "as for some time past in the administration of justice all sorts of abuses have been noticed," His Grace had been investigating the matter and would presently issue a revised code of procedure for the court. The only complaint explicitly made was that of tardiness of justice; and for the remedy of this was prescribed greater promptness at the sessions, a less hesitating execution of the sentences of the ecclesiastical court, and a more energetic enforcement of the lay court's own decisions in civil matters. But far more serious were the suspicions implied by the further requirements that hereafter "all money, silverware, or the like, sequestered by the court, shall be deposited in the chest wherein the seal is kept, and duplicate keys of it given to the Judge and to two Assessors, no one of whom may open it alone,—that the Judge shall forthwith deposit in the chest all sequestered money now in his hands,—and that a special strong-room shall be prepared for the custody of all property held in pledge." And darker still is the insinuation, when at the end "His Electoral Grace herewith in all graciousness cautions the Judge and Assessors that they keep before their

¹ Flade trial, p. 63.

² A contemporary copy of it is in codex 1393 of the Stadt-Bibliothek at Trier. The volume of which it forms a part belonged to the "Churfürstlich Weltliches Hochgericht zu Trier," itself, and seems never to have fallen under Hontheim's eye. A part of the censure edict is printed by Wytttenbach and Müller in the *additamenta* to their *Gesta Trev.*, iii.

eyes sacred Justice, and suffer themselves not, through gifts or any other of the means which sometimes sway a judge's mind and give rise to partiality, to be drawn aside therefrom." Was Dietrich Flade, then, so lately honored by all, a peculator and a corrupt judge? Or was this an attempt to blacken the fame of a man who must at all hazards be destroyed?

The Governor was at last ready with his witness. In April of 1588 Margarethe of Euren, on trial at Pfalzel, testified that Dr. Flade had come to the witch-sabbath in a golden wagon. There he had urged the destruction of all the crops, but the poor had opposed him and she herself had protested, whereupon he had struck her with a stick, saying that they of Trier had enough yet; and when in despair she had uttered the name of God, the whole assembly had instantaneously vanished. He and his followers had once brought on a terrible hail-storm, which had killed forty-six cows at Pfalzel, by standing in the Biewer brook and pouring water over their heads in the name of a thousand devils; and he had wished to overturn both the Pfalzel and the Euren woods, so that no more stakes could be made for the burning of witches. He had also created the snails which had injured the crops—how, he could himself tell if asked. He had helped dig up from the churchyard at Euren a four weeks' child, whose heart had been taken out, baked in a fritter, and shared among the witches, in order to make it impossible for them to confess their witchcraft. She herself was indeed confessing; but she had eaten only a little. All this and more with the most gratifying exactitude.¹

Again the Judge was summoned to an interview in the Governor's garden. He was permitted to send three friends—his kinsman, the Dean at Pfalzel (Peter Homphaeus), his confessor (and hers), the Jesuit Lucas Ellentz, and his colleague, the Assessor Maximin Pergener—to examine the witch in his behalf. But, in spite of their efforts, she was firm to her death. One of them reported to Flade that "it seemed as if the Devil spoke out of her."²

¹ Flade trial, pp. 123-127.

² Flade trial, pp. 44, 45, 63.

Such was the evidence, born of the torture, on which in the witchcraft days men and women were done to death. In the following month another Pfalzel witch confirmed the testimony about the snails.¹ The case of Flade was desperate indeed.

The old man's misfortunes had not come single. Death had stripped him of family and friends: his wife, his brother, his influential brother-in-law, his sister, his son, all were gone.² Among those still bound to him, however, was one colleague of some weight—Christoph Fath, a protégé of his brother Franz at Speyer, who, through the good offices of Dietrich Flade himself, had become an Assessor of his own court at Trier, and had received in marriage one of his kinswomen. Shrewd but cruel was it when to Christoph Fath, on July 4, 1588, was sent the commission to investigate and report the evidence of witchcraft against Dr. Flade. If it were an instinct of fairness that suggested the choice, it was certainly none that, on an enclosed slip, named as his associate in the investigation the terrible notary, Peter Omsdorf.³ The dis-

¹ Flade trial, p. 152.

² Flade trial, pp. 38, 78, 190. His household seems at this time to have consisted, beside himself, of only his three wards, Johann, Franz, and Maria Homphaeus, probably the orphans of his brother-in-law Christoph.

³ Flade trial, p. 85. If what has been already told of Omsdorf does not justify this epithet, let me add but one bit of testimony. After his death Scho Apollonia, of Kirsch, one of the few witches who escaped his clutches, testified, among other things, that, as she was hanging in the torture at Zell, she saw Meyer Huprecht, of Schweich (one of the accusers of Clasen Adam, Schultheiss at Schweich, and of his wife Apollonia), slip a piece of gold into Omsdorf's hand; that Omsdorf questioned her as to various people by *name*, including some at Trier, asking her whether she had seen them too at the witch-sabbath ("Er Omsdorff hab nitt allein Roders Adamen, sonder auch andere mehr anderstwo, auch binnen Trier, namhaft gemacht, und sie gefragt, Ob sie dieselbige auch auff Hetzerather Heyden ahn iren dantz gesehen?"); and that, angered, he had himself seized the executioner's staff and prodded her with it in the breast, so that the blood flowed. (See the fragments of the case of Clasen Adam and his wife, in codex 1534 of the Trier Stadtbibliothek.) Besides being notary of the ecclesiastical court at Trier, Omsdorf was the regular notary at the court of St. Maximin, and we shall meet him officiating in that capacity also at Pfalzel and at St. Matthias. Most of the evidence against Flade had thus been taken down, if not inspired by him; and we find him constantly active in the later persecution. He was still busy at it

mayed Assessor at once returned a long and humble petition to be excused from the ungrateful task, pleading his intimate relations with the family, his great and repeated obligations to the accused, their kinship, and adding that within the last few weeks Dietrich Flade had stood godfather to his child. But the Elector sent an immediate and peremptory refusal; and poor Fath could only insist on filing his letter of protest among the papers of the case and enter upon his duties.¹

A month later, on the 21st of August, the report of Fath and Omsdorf was ready. It comprised extracts from the confessions of no less than fourteen witches, from a half-dozen different jurisdictions.² Of their general character that of Margarethe of Euren is a sufficient specimen. As a stout but stately man, his black beard streaked with gray, clad in his long black mantle, with the golden chain of his rank about his neck, and mounted perhaps on a fiery horse, as they had seen him many a time on high occasions in the streets of Trier, so now they claimed to have seen him at the witch-sabbath—there as elsewhere, with his deep, clear voice, the leader of the whole. Those of the remoter jurisdictions, however, did not mention Flade by name, but spoke only of lordly folk who seemed to come from Trier. As to the witches of Trier itself, the Governor “could not remember that Dr. Flade had been accused by any person; for,” he added, “the Judge himself was present in person at all the examinations and executions.” And, even as to Grimburg, he said that “some had indeed been executed there, but none had accused Dr. Flade, for the region was

in July of 1597, but was dead in May of 1600. He must have died in tolerably good repute; for the charges of Scho Apollonia are objected to as blackening the memory of a minister of justice. As to the part taken by notaries in the persecution, see the striking sentences of Linden (page 55) and the words of Hontheim (p. 10, note).

¹ Flade trial, pp. 82–93. A separate letter to Omsdorf instructed him also as to his duties.

² Flade trial, pp. 93–146. These jurisdictions were Pfalzel, St. Maximin, St. Paulin, St. Matthias, and Esch, besides those where inquiry was made in vain; but the witches of Esch, like those of Grimburg and Saarbùrg, do not name Flade.

remote from the city.”¹ From Pfalzel, however, he had much to contribute ; and, having himself received from the Elector a letter of the same date as those to Fath and Omsdorf, the needed depositions had been already sought out—for it did not become him, as he deprecatingly remarked to Fath, to oppose the Elector’s instructions.

The only questionable evidence was that of the witch Kirsten Barbara at St. Matthias. Peter Omsdorf had himself, as notary, taken down her confession against Dr. Flade ; but the magistrate, Dr. Dietrich Balen, asserted that in the notary’s absence she had retracted her accusation, and it became necessary to take the testimony of the assessors and the court-messenger as to her words. The messenger swore that she had indeed wished to retract her confession, and that he had sent word of this to Dr. Flade, who in reply had told him not to trouble himself about the matter, but to bear himself as a messenger should. The kind-hearted fellow had also asked the witch why, by retracting her confession, she caused herself again to be tortured ; to which she had bravely made answer, that “it were better she should suffer a little than that she should do others a wrong.” But the poor woman had overrated her strength, and all agreed that she had reaffirmed her accusations. The Governor had given the Commission the additional information that when, on the morning of Barbara’s execution he had himself ridden out from the city to receive the criminal according to custom, he had met Dr. Flade just outside the New Gate. It being still early they had chatted together, though of other matters, until the witch appeared ; and, when he at last rode to meet her, Dr. Flade had followed. Knowing that the magistrate’s friends had informed him of the woman’s accusation, the Governor and others supposed that he meant to confront her ; but instead Dr. Flade had flung his mantle over his shoulder and had hidden himself in the crowd.

¹ He mentioned, indeed, the testimony of Jeckell of Reinsfeld (see page 18, above). Of Matthias of Weisskirch not a word was yet said. It is to be suspected that the Elector himself had enjoined strict silence as to the alleged plot against his own person.

It was, in sooth, far too late to hope aught from the silencing of a single witness. The report of the Commission had hardly reached the Elector before there came to him tidings of two fresh accusations against Flade; and a letter of September 4th instructed Fath to renew his investigation.¹ Three days later the Elector had found time to dip into the report, and was so much interested that he wrote the Commissioner to send him the entire confessions in place of these extracts; but the dismay of the local magistrates at this proposal to submit their chaotic protocols to the eyes of the sovereign found utterance in such a torrent of arguments that it was suffered to drop.² Meanwhile the evidence against Flade multiplied day by day; and when, at the end of September, Fath handed in his supplementary report, it included six new depositions.³

A day or two later came an incident which, under the legal maxims of that day, was even more damning evidence of Dietrich Flade's guilt—his attempt at flight. It was on Monday, the 3d of October, 1588, that the imperilled old man found an opportunity for this last desperate experi-

¹ Flade trial, pp. 161, 162.

² Flade trial, pp. 173-177.

³ Flade trial, pp. 163-173. They are all from Pfalzel and St. Maximin. It is already clear, however, that the Elector had knowledge of the case from other sources than his Commissioner; and with the reports of the Commission he later, by accident or design, submitted to the court charged with Flade's trial three other bodies of accusation, which have found a permanent place in the records of the case (Flade trial, pp. 147-159). What seem to me the originals of these, in three distinct handwritings, all differing from Fath's, are among the Clotten fragments at Trier (see note, page 5 above). The first of them, perhaps from Johann Zandt, contains only the testimony of the next Pfalzel witch who accused Flade after Fath's first report. The second, very possibly the work of Omsdorf, anticipates in its contents the whole of Fath's second report—and more; for it includes the later confessions of two witches burned in October. Nay, more still: it adds the story of Matthias of Weisskirch (p. 24, above), which only thus makes its way into the records. And, not content even with this, the anonymous reporter goes on to tell the story of Flade's flight, of which we have next to speak. The third of these transmitted papers is a certified extract, dated 7 December, 1588, from the confession of a single Saarburg witch. It is to this alone that can properly apply the Elector's sentence of enclosure which follows it in the record: "Diese Urgichten seint unss an stundt, von unserm Amptman zu Sarburg einkommenn." Was the plural intentionally misleading?

ment.¹ Johann von Eltz, Commander of the Teutonic Order at Trier,² was that day to set out on a journey to the commandery at Beckingen on the Saar, and thence to the assizes at Bolchen in Lorraine; and he had consented that Dr. Flade should be his passenger. He too, he told the Commander, had errands in that direction—debts to collect, foreign money to exchange; and, furthermore, he wished to escort his young nephew, Johann Homphaeus, to the university at Pont-à-Mousson.³ Accordingly, when, that morning, Johann von Eltz with his coach reached the suburb of Heiligkreuz, he found there awaiting him, as by appointment, Dr. Flade and his nephew. As he took them in, Dr. Flade's maid appeared, bearing on her back a vintage-basket heavily laden with money; and this too was stowed in the coach. The fugitive reached Beckingen in safety, but the Commander was there overtaken by a message from Trier taunting him with helping a witch out of the country.⁴ Such a reproach no man could bear; and, unconvinced by the old man's pleas, he brought him back as he had taken

¹ Of this episode we have four accounts: (1) the anonymous one described in the last note; (2) the letter of the Burgomasters to the Governor, mentioned on page 34; (3) Flade's letter to the Elector, as to which see page 35; and (4) that given by Governor Zandt to the court at the meeting described on page 40.

² "Landcommenthur der Ballei Lothringen, Commenthur zu Trier und Beckingen," was his full title.

³ This Lotharingian school, much sought by the youth of Trier, was then at the height of its fame. It was just at this time that there went forth from it those three young monks whose zeal was to work such a sweeping reformation in the oldest religious orders of the west. Pont-à-Mousson was seventy or eighty miles above Trier, on the Moselle, midway between Metz and Nancy. Beckingen, just at the Lotharingian frontier, was some twenty-five miles from Treves; and Bolchen, or Boulay, lay on the uplands, half-way from the Saar to Metz.

⁴ That so high an official as the Landcommenthur could have been ignorant of what had been now for some time town talk is hard to believe, and the rendezvous at Heiligkreuz certainly points at collusion. It is more likely that his sympathy or his courage failed him. Who sent the message after him we can only guess, but it may well have been Johann Zandt, who, at Grimburg, was (though not on the direct road) far on the way from Trier to Beckingen. It is to be noted that his account, alone of the four, knows that the message was a letter. According to Flade's own account it would seem that he stopped at Beckingen of his own accord, and that it was only on the return of Eltz from Bolchen that the latter insisted on taking him back to Trier.

him away—nephew, money, and all—and set him down at the city gate. He had been gone just a week. Back to his house, lugging his gold himself, with the aid of the gate-keeper and his family, crept the old magistrate; and it was well for him that a chance laborer could let him through the back gate by breaking it open with a hatchet.¹

For the flight of Dr. Flade had caused great excitement in Trier. The Governor happened to be at Grimburg, but the two Burgomasters, Nicolas Fiedler and Johann von Kesten, wrote him on the day after the fugitive's return a full account of the affair. They had, they assured him, warned the gate-keepers not again to let him out of the city; and none too soon, for that very morning he had made diligent inquiry at the gate, through the husband of a former servant, as to whether his exit was forbidden.²

Johann Zandt hastened back to the city, conferred with the Burgomasters, and summoned Flade to appear before them at the town-hall. Fearing arrest, however, or wishing to gain time, he sent his little nephew, Franz Homphaeus, to learn their errand; and, although the boy was assured that his uncle might come without risk, he did not appear. The gatekeepers were thereupon officially cautioned; and to good purpose, for that very afternoon Dr. Flade made an attempt to issue from the east gate of the town.³ But the

¹ Flade's house was in the street which still takes its name from the old crane on the quay at its end; but the Krahnen-Strasse then included the whole stretch from the Brücken-Strasse to the river. The house I have not been able to identify.

² Flade trial, pp. 69-74. Both Fiedler and Kesten went themselves to the stake for witchcraft in 1591—the victims, as I believe, of that Johann Zandt to whom they addressed this letter. Both, like Flade, were men of wealth; and for their trials, too, it was Omsdorf who collected the evidence. The records of Fiedler's trial are still extant at Trier, and were printed, with notes, by Wytenbach, in the *Trierische Chronik* for 1825. Kesten had been an Assessor of Flade's court at Trier since 1576 (his letter of February 6th of that year thanking the Elector for his appointment is in the Stadt-Bibliothek at Trier), and Fiedler also was one of the oldest members of that court.

³ "Zu Mosell pfortten." That this means the Muss-Pforte (Porta Musilis) is clear from the context; but, for proof that this oddly misleading name was usual, see an article by Müller in the *Trierische Chronik* for November, 1818.

unhappy man was now an object of curiosity to the rabble of the streets. A noisy mob, largely of students, gathered at his heels; and when he was turned back from the gate the crowd grew so boisterous in its abuse that he was forced to take refuge in the near Cathedral, whence he escaped through a passage into the adjoining Church of Our Lady, and thence by way of the cloister into the house of one of the capitulars. Here he had to stay until evening, when, at the instance of the Cathedral Provost and Dean, the Governor granted him an escort home through the streets.¹

For the present he was suffered to remain here; but townsmen were deputed by the Governor to watch him, night and day, until certain of his friends gave bail for him, and he himself made oath, on pain of forfeit of all his property, not to leave the town. But his bondsmen soon grew tired or ashamed of their burden: on the 30th of December the Elector released them, and he was again watched, at his own cost, by four citizens, two each from Trier and from Pfalzel.²

Such was the state of affairs when, on the 5th of January, 1589, Dr. Flade made his last despairing appeal to the Elector. Vehemently protesting his innocence before God, he begs "out of a deeply troubled heart and a sorrowful mind" that he be at last permitted to purge himself of the shameful charges against him. The scandal and ignominy are more than he can bear. He denies that he has sought to leave the country without the Elector's permission, though he admits that certain of his friends had hoped to gain this for him at the approaching Landtag. He appeals to his

¹ Flade trial, pp. 64, 65. Dr. Flade's own explanation of the affair, in his letter to the Elector, was that his nephew had misunderstood or misquoted the answer of the city magnates, and that he had then sought, not to leave the city, but to go for advice to the Cathedral Provost, having no longer kin of his own blood at Trier to advise him; that, the Provost being in chapter-meeting, he had been forced to wait until too late to appear before the Governor and Burgomasters; and that he had then resolved, in order to escape the insults of the rabble, to take up his abode for a time at the abbey of St. Matthias, and so had sought exit at the city gate. (Flade trial, pp. 78-80.)

² Flade trial, pp. 3, 4, 65, 66, 80.

own long and loyal service and to the high standing of his kin by marriage. If there may not be granted him "security against the fury of the populace" until he can establish his innocence, he asks at least permission to retire from the world for the rest of his life into a religious order somewhere away from Trier.¹

But the Elector had far other plans. On the 14th of January, 1589, he laid Flade's letter, with a copy of the evidence against him, before the theological faculty at Trier. Accompanying it was a most suggestive appeal for their advice.² "It has doubtless long ago come to your knowledge," he writes, "into what general suspicion of witchcraft our Judge at Trier, Dr. Dietrich Flade, has fallen, and what has since taken place as to his flight. Now, although at first, when he was accused by only one or two of the persons executed for witchcraft, we thought the matter hardly worthy of notice, and therefore for a while, on account of his rank, let the matter drift; yet afterward the scandal grew ever greater, and the accusations of the witches, both old and young, men and women, became so frequent that we were led to have the trials, in so far as they related to him, excerpted, and find that twenty-three executed men and women have confessed against him, and persisted firmly in the assertion to their end that he was with and among them at their witch-sabbaths, took the lead in evil suggestions, and helped personally to carry them out. And these confessions come not from one court alone, but from many different ones—from Trier, Maximin, Paulin, Euren, Esch, St. Matthias, Pfalzel, Saarburch, and elsewhere; and the sus-

¹ Flade trial, pp. 75-81.

² The preservation of this document we owe to one Embden, a student at Trier of the eminent jurist, Neller, who, in 1779, doubtless inspired by his master, resurrected it (probably from the university archives) and printed it with a commentary in his *Conatus exegeticus* (Trier, 1779), a disputation under Neller's presidency. It is to be noted that Embden, and probably therefore Neller also, still believes in the reality of witchcraft, and even of the witch-sabbath. The Elector's communication was addressed to the Rector (then Helias Heymans, Dean of St. Simeon) and "gantzen facultet Theologorum unserer universiteten in unserer Statt Trier." It is reprinted by Conrad in his *Trierische Geschichte* (Hadamar, 1821).

picion is increased by the fact that others accused by these same persons have been found guilty and have confessed—among them some of considerable respectability, except that partly through avarice, partly through unchastity and other devilish impulses, they have fallen into this wretchedness. All this you will learn from the enclosed *Extract*, and especially what a young boy who was misled into such witch-doings confessed freely and without constraint against him, Flade, though he had never before known him, with description of his person, rank, and appearance, and how, seeing him by chance at an execution, he immediately, without anybody's suggestion, pointed him out and said that he was the one who had been always at the witch-sabbaths. Well known to you, moreover, is what afterwards occurred in connection with his second attempt at flight. And we send you also herewith the petition the said Dr. Flade wrote us, wherein at the end he almost betrays himself, desiring us to allow him to enter the monastic life, and offering us the disposition of his property¹; a thing which surely, if he were not conscious of guilt, was not likely to be done by him, a man notoriously avaricious and, as shown by an investigation heretofore made, of such character that by reason of his avarice justice was almost ill-administered, so that we perhaps already had cause enough to dismiss him from his office. When we bethink us, however, of the position of honor he has so long held, and remember too that among scholars there are current all sorts of objections as to the confessions that this one or that has been seen at the witch-sabbath, we have wished, for the sake of further information, and especially because witchcraft is counted among the ecclesiastical crimes, and it has heretofore been customary for such cases to be first submitted to ecclesiastical judges, and then after their finding to be remitted to the

¹ This seems to me a misunderstanding of Flade's letter. What he offered was the disposition of himself. He asked "ihnn gaistlichen standt . . . mich zubegeben, jhe doch meine Disposition in E. Churf. gnaden gnadigste anordtnungh underthienigst heimstellendt." His property he nowhere speaks of. The other misconceptions and misstatements of the Elector's rescript need no pointing out.

lay judge,¹ not to omit to consult in this matter the theological faculty as well as the jurists, so that nobody, whether of high or of low degree, may have right to complain, and that in the administration of justice we may fall into no error. Therefore it is our gracious will," concludes the Elector, "that you of the theological faculty come together privately and consider this matter as its importance demands, and immediately let us know in writing how you find it, according to the canon law and the unanimous opinion of the theologians, that we may take such further steps as it behooves, and that Justice may be left to her course without respect of persons."

But, despite the evident ill-will of this letter, the theologians of Trier seem to have been as obdurate as the scholars and jurists of the Elector's court. At least, no finding of theirs was transmitted to the tribunal now charged with the final step. On March 23d instructions were issued to Johann Zandt von Merl for the arrest of Dr. Flade and his confinement in the town-hall; but it was not till a month later, on April 22d, that the Governor thought it wise to convene the court and put the writ in execution. Even then, as we are told by the clerk, "the Acting Judge [Dr. Heinrich Hultzbach, of Saarburg, Flade's deputy and eventual successor] and the Assessors had sympathy with Dr. Flade and declared that they would rather have been relieved of this thing than charged with it"; but the arrest was carried out, although the old man had a disabled thigh and had to be borne to his prison in a chair. On May 10th² he was transported to the Electoral palace, there to confront two priests, convicted of witchcraft, who had confessed against him. The priests repeated their accusation to his face; "whereupon Dr. Flade answered, 'It can and may

¹ A very significant statement, of which I have found no confirmation in the extant records at Trier.

² Flade trial, pp. 1-6. He was imprisoned in the "great hall" ("so der Burgergefenghnuss ist") of the Rathhaus, and a special keeper assigned him, who should permit him no communication with the outside world. In the meantime an inventory was made of the contents of his house, and his papers and valuables taken into custody (pp. 6, 7).

be that you saw my figure, but my person surely not,' and he cited certain examples, and argued that these were pure *obfascinationes* and delusions of the Devil."¹ He was now borne back to his prison and left to himself again, while the Elector drew up, and on June 9th transmitted, careful instructions and a list of questions, based on the absurd allegations of the witches, for his examination.²

On the 11th of July Flade was examined upon these questions, and answered with much spirit. He denied all complicity in, or knowledge of, the doings of the witches, again insisting that, if he were seen by them, it was through some delusion of the Devil's, and citing the phenomena of dreams in support of his theory; but at the end he begged a day or two's time to bethink himself further, and asked that his confessor might be suffered to visit him. These requests were granted, and his replies forwarded to the Elector.³

That prelate was unmoved. On the 29th he sent to the Governor his final decision. The matter was now, he declared, noised abroad through the whole Empire and outside it, and it behooved the authorities to see that sacred justice take its course. Accordingly he transmitted the testimony against Flade, with all other documents in his hands pertaining to the case, and instructed the court over which Dr. Flade had so long presided to proceed against him.

In the meantime the Acting Judge and most of the Assessors had deserted the city. Their ostensible and sufficient excuse was the pestilential midsummer air of the town; but it is to be noted that not more than two had been present at any of the earlier proceedings against Flade, and that the letters written by order of the Governor to summon them back make no mention of the trial of Flade among the items of business demanding their attention.

¹ Flade trial, pp. 8-12.

² Flade trial, pp. 12-34. He had, he said, in his letter of transmission, consulted impartial jurists, who advised him to delay yet a little the formal indictment until further "inquisition" could be made.

³ Flade trial, pp. 34-55.

⁴ Flade trial, p. 78.

They came, however, at the summons¹; and on August 5th the Governor detailed to them the whole history of the case, laying before them the evidence and the Elector's instructions. They asked time for consideration, and two or three days later sent in a unanimous request to be excused from the duty, pleading their long and kindly relations with the accused, and protesting that they had no official knowledge that he was not still their head. But the Elector returned a prompt refusal, declaring that Flade had long been relieved of his office; and the Governor assured them there was no use putting the matter off—"the apple must be bitten."²

On August 17, 1589, therefore, the formal trial of Flade was at last begun. Into all its sickening details we need not go: it differed little from other witch-trials, save in its greater caution and in the trained subtlety of the victim. When he found confession inevitable, he at first tried to escape the torture by admitting other intercourse with the Devil, while still denying all witchcraft proper. But this was as idle as were his personal appeals to his judges. By civil as by canon law witchcraft was an "excepted crime"; and not his rank, not his age, not his academic title, not the infirmities of his body,³ could save the proud old man from the ignominy of the executioner's touch, or set a limit to his torment till he had confessed all that his own imagination or that of his inquisitors could suggest.⁴

¹ Except Maximin Pergener, who could plead the death of his wife. The others were, in the orthography of the record, Christopf Enschringen, Niclas Fiedler, Claudius Musiell, Hans Kesten, Bernhard Schroder von Piesport, Christopf Fath, Wilhelm Kilburgh, Carl Wolff, Johann Tholess von Ediger, and Hans Philipp Boitzheim. All, according to the rules of the court, were jurists (*Rechtsgelehrten*).

² Flade trial, pp. 55-69, 178-184, 187-189.

³ He had a hernia, which caused him especial suffering in the torture.

⁴ The form of torture usual at Trier, as generally throughout Germany, was that known as the "strappado"—in German, "die Schnur," the cord. The prisoner's hands, bound behind his back, were made fast to a rope drawn over a pulley at the ceiling, and so lifted till his whole body was wrenched from the floor into the air, where he was left hanging, sometimes with weights attached to his feet, or with the screw applied to his toes, to intensify the torment. It need hardly be said that it often left men and women crippled for life.

It took, indeed, much pain and more than a single session to bring the stubborn old man to terms; but the executioner had learned his trade now, and it had long been noticed that no witch escaped. Soon or late, in sanity or in delirium, the agony always did its work. Dietrich Flade knew well what a witch-confession was expected to be, and little by little they wrung from him the grotesque nonsense they sought. He knew, too, that, whatever else might be omitted, one thing could never be—the names of accomplices. It was of no use to allege that the witches were masked or to name only those already executed: such tricks were long worn out. A happier thought was it—as is proven by the history of more than one witch-persecution—when he began accusing his judges; and at least those absent from the torture-chamber were duly named in the record. But no court would be content with these alone; nor yet when, with a still truer instinct, he denounced the great of the land.¹

Once it seemed as though his tormentors were satisfied; but the Elector returned the prisoner's answers, declaring that thus far they were mere child's play, and the whole procedure had to be begun over again.² Piteous was it when even the imagination of the old Judge could no further go, and, complaining of the failure of his memory, he was forced to beg that the testimony against him be repeated to him as a reminder—which was done.³

At last, in mid-September, his confession was complete. Not a word had yet been said, in all the trial, of that alleged bewitchment of the Elector which, all unknown to Flade, had lain at the beginning of his troubles. But when the court came together on Saturday, September 16th, to frame its sentence, and had summoned the prisoner before it to

¹ As "Her Philips, Her zu Wynniburgh, der junger," Karl von "Kesselstat, Amptman im Hamme," and Philipp "Waldeck[er von Kaimpt], der Rotmeister." The Burgomaster Hans Kesten he implicates with evident relish. But the whole number of those accused by him was not large.

² Flade trial, pp. 204, 205. "Dasselb wass er noch zur zeit von sich gethan fast schertzliche dingh waren."

³ Flade trial, p. 218.

announce to him that the following Monday would be the last day of his life, Johann Zandt von Merl turned to him and bade him relate to the court what he had already privately confessed to himself as to this attempt on the Elector's life.¹ The name of the great dignitary whom he now made his accomplice in that impossible crime has since been diligently blurred from the record; but with a little pains it may still be deciphered,²—nor is it difficult to guess by whom it was suggested.

On the morrow he witnessed the mass and received the sacrament at the hands of Father Ellentz and another Jesuit.³ Early on Monday he made some minor dispositions as to his property and confronted without flinching two of those whom he had accused.⁴ His confession was then read to him, and, having assented to it, he was led out before the open court to hear his sentence. Once more Governor Zandt reviewed the history of his case, and then in the name of public justice solemnly arraigned him as a witch. His confession was read to the court, in the hearing of the

¹ Flade trial, pp. 224–228.

² The “Her Dhumbdechant [Domdechant] von der Leyen,” with whom as accomplices are named “Pauluss uff Grymburgh” and “Michael Neuwmetzler.” The plot is said to have arisen “dess streits halben, so zwischent dennen von Wynnensburgh unnd von der Leyen hiebevorn der Dhumbprobsteien halben entstanden.” I am puzzled by the fact that, according to Brouwer and Masen (*Metrop. Eccl. Trev.*, ed. Stramberg, i., p. 153), the Cathedral Dean at this time was Hugo Cratz von Scharfenstein, who was elected Feb. 4, 1588, and held the post till his promotion to the Provostship in 1623. The name of Paulus auf Grimburg adds a straw more to our suspicions of the Amtmann of Grimburg. Dean Cratz was later repeatedly accused by the witches of St. Maximin.

³ Flade trial, p. 228. The second Jesuit was Father Joannes Gilsius, magister novitiorum, and later Rector, of his college at Trier. Both he and Father Ellentz, but especially the latter, saw much service as witch-confessors. Masen tells (in his *Epitome Ann. Trev.*, p. 710) a curious story of how, when once Father Ellentz was attending a witch to the stake, the Devil, who had a special spite against him, tried to kill him with a hail-storm.

⁴ The more notable was Peter Behr, a man who had earlier played a large part, as a leader of the popular party, in the struggle for the city's independence. Behr, too, was tortured into a confession of witchcraft, but committed suicide by flinging himself from the tower in which he was imprisoned.

assembled public.¹ The Assessors brought in their verdict, and, as the clerk uttered the terrible closing words of the sentence—that “Dietrich Flade, the accused, now standing in the presence of this court, by reason of his crime, in that he denied God, devoted himself to the Evil One, served him and sinned with him, dealt with witchcraft and did despite to the common weal, wrought injury to grain and herb, shall be punished with fire, from life unto death, as we him hereby thereunto doom, sentence, and condemn, to Almighty God and his mercy commending his soul”—the Acting Judge rose from the seat where for thirty years Dietrich Flade himself had presided in honor and confirmed the sentence by breaking his staff of office. Thereupon, as was the custom, the condemned man fell upon his knees and craved the mercy of the court; in token whereof he was accordingly commended to the executioner, to be first “mercifully and Christianly strangled,” and his body then burned to ashes.²

“Thus,” writes one who must have been an eye-witness,³ “as a criminal and dishonored, he heard his sentence from the very court whose severity he himself as judge had

¹ Excepting, of course, that part of it which spoke of the plot against the Elector.

² Flade trial, pp. 234-251.

³ The Jesuit Brouwer (in his *Ann. Trev.*, lib. xxii.). “*Magiæ et artium execrandarum, quæ variis indiciis et ipsâ confessione rei cumulabantur, damnatus, sententiam mortis ex illo tribunali, cujus nempe severitatem multis ipse annis judex moderatus erat, audiit reus ac sordidatus. Prodeuntem ad supplicii locum, quod iter gravescente licet ætate et fessus ærumnis, pedibus facere voluit, universa spectacula novitate prosecuta civitas: cùm ipse interim in omni via tam altos spiritus gereret, ut omnibus animi fortitudinem in illa tanta dejectione suspicientibus, nullam ederet vocem, quâ se vel casum suum mortisve probrosæ miseraretur infamiam. Ubi ad pyram perventum, circumfusam multitudinem oratione tempori aptâ, nec infracto quicquam animo, allocutus est, hortatusque ut illud exemplum exitus tam luctuosi acciperent pro documento, fraudes dolosque inimicissimi Satanæ vitandi. Quibus dictis et factis, animâ præsertim per Societatis Jesu sacerdotem Christianæ poenitentiae præsidii instructâ, atrocitatem culpæ reus minuit, mortem verò civibus approbavit.*” In the margin at this passage Brouwer’s seventeenth-century editor and continuator, Masen, has printed, “Vide hac de re Notas et Additamenta nostra inferius”; but repeated and most careful search has failed to show me anything on this head in his notes and additions. Perhaps he wished to add the wild story he later published in his *Epitome* (see p. 46 below).

for many years restrained. As he went to the place of execution, whither, though he was in declining years and was worn out by his troubles, he insisted on going afoot, the whole city, stirred by the novel sight, followed after. And yet, with such lofty spirit did he bear himself that to not one of all those who beheld his self-control in that terrible humiliation did he utter a word of complaint for himself or his fall or the infamy of his ignominious death. When the stake was reached he addressed the thronging crowd in words suited to the occasion and with unbroken spirit, exhorting them to learn from the example of his mournful fate to shun the deceits and wiles of the arch-enemy Satan. Thus by word and deed the criminal mitigated the atrocity of his crime, yet justified to his townsmen his death." It was the 18th of September, 1589.

Such was the fate of Dietrich Flade. Was he a martyr, or was he only one more victim of a superstition which he shared and to which he had sacrificed others? No historian makes answer. The ripple of interest stirred by his fate throughout Europe found only scanty record in the contemporary annals¹; and even the periodical "relations," then

¹ The minorite Cratopolius, in his *De Germaniæ episcopis et orthodoxis doctoribus*, etc. (Cöln, 1592), speaks (pp. 230, 231) of "quidam non infimæ apud Reveren. Electorem autoritatis Doctor Flat," who "annis superioribus" deservedly suffered death for his witchcraft; and Haraeus, in his *Annales ducum Brabantiae* (Antwerp, 1623), also mentions with approval the execution of "celebris pridem Doctor I[uris] V[triusque] Flattenus, Electoris Trevirensis Consiliarius." A Cöln chronicle, still unprinted (*Chronicon Coloniense*, 1500-1596, CölnStadt-Bibliothek, A. II. 70), speaks somewhat more fully of his fate, but suppresses his name, saying: "nomen viri factumque ab aliis multis proditum non attinet pluribus enarrare." Similarly circumspect is a little Trier manuscript (codex 1355 of the Trier Stadt-Bibliothek), which tells us under 1589, that "Treviris Senator quidam N. Fl. afficitur Supplicio magiæ debito post seriam dehortationem à curiositate." But this manuscript, which bears the name and date of Joannes Henricus Anethanus, Trevirensis, 1647, and is not improbably the work of that Weihbischof, is clearly only a summary of the *Annales Trev.* of Brouwer; and, indeed, there is appended to it a similar summary of his *Metropolis*. It is not this manuscript, but a blundering copy of it, still to be found at Bonn (in the volume called *Gesta Pontificum Trevirorum*, No. 343 of the University Library), that is printed by Hontheim in his *Prodromus* as "codex Canonice Eberhardo-Clusanae."

fast ripening into the modern newspaper, cared only for the tragic story of the man himself,¹ while the news-letters which scattered broadcast over the empire the tidings of the horrible confession and death of such a monster turned him outright into another and a wicked Faust.² Even

¹ Thus Eyzinger's *Relationis historica continuatio* . . . *biss auf den 19. tag Septemb. 1589* (Cöln, 1589), where oddly enough Flade's death is entered under 26 May. How the *Fl* of Flattenus becomes the *H* of Hattenus is easier to see. Among the witches of Trier, says the relation, "war auch einer auss den Furnembsten Râthen des Churfursten zu Trier, eines grossen vermögens und reich mit namen Hattenus ein Rechtsgelehrter, diser wardt gefencklich eingetzozen, unnd fur einen zauberer in die sechs monat gefangen gehalten, als er aber das Factum bekendt, welches man ime fur zauberey aufflegen wolt, und dagegen sustineret, wie dass es allein Magia ware, unnd dahin nit verstanden kunte werden, als soll es mit dem, so er bewiesen und gethon, fur strafliche zauberey gerechnet werden, angesehen es alles der natur gemess und nichts teuffisch oder obgöttisch, so begehret er derhalben relaxirt, und der gefenckhnuss ent schlagen zuwerden. Man hielt aber denselben, als einen Radl fuhrer der andern zauberer, welches mit ime gehalten, damit man nun den andern ein forcht an jaget von ihrer zauberey abzustehen. . . . So ist der gemelt Hattenus allezeit den 26. Tag Maii von wegen zauberey zum todt verurtheilt und gericht worden, darauss woll ab zunemen, das er nit naturaliter sonder Diabolice mit der khunst wider Gott unnd wider sein Gebott, dem menschlichen geschlacht zuschaden an leib und Seel umgangen ist."

² Before the end of 1589 Nicolaus Schreiber at Cöln printed a *Warhafftige und erschreckliche Beschreibung von vielen Zauberern oder Hexen, wie und warumb man sie hin und wider, verbrandt, in disem 1589. Jahre*, etc., (see Prutz, *Geschichte des deutschen Journalismus*, p. 167). This I have not seen; but there is every reason to believe that it is precisely this which in 1594 he reprinted as the second of *Drei Warhafftige Neue Zeitung* (No. 777 of Weller's *Die ersten deutschen Zeitungen*)—*Die ander, Von vilen Hexen und Unholden, die man . . . im Trierischen Land, und andern Orten verbrenndt hat*, etc. In this (I have used the copy in the Kantonal-Bibliothek at Aarau in Switzerland), several of whose fifteen stanzas are devoted to Flade, though without naming him, he is thus introduced:

"Nun muss ich jetzund zeigen an,
Sie hetten under in einen Hauptman,
derselb ihr König ware,
Ein fûrtrefflicher gelehrter Mann,
Doctor in der Astronomy schon,
unnd aller Kunst erfahren,
der hat mit seiner Zauberey,
gross hertzen Leid gestiftet,
vil Menschen unnd Vieh mancherley,
gestorben und vergiftet,
dem Doctor Fausto vergleicht er,

in his own home, history soon yielded him to legend. Not a century had gone before he appeared in the pages of Masen¹ as a second Theophilus, led in his youth into magic by a student's curiosity and bargaining with the Devil for learning and station at the price of merely teaching that "Hell is not so hot, nor the Devil so black, as people think"; but cheated at last by his Satanic ally, who tempts him to go masked to the witch-sabbaths, that he may the more easily convict the witches brought before his court, then at last unmasks him to the others' sight and leaves him the victim of their vengeance.

But, a decade after Flade's death, the learned Jesuit Delrio, writing at Liège, less than a hundred miles away, his monumental book in support of witch-persecution, and needing a modern instance to stay his doctrine that the

von seiner Zaubereye,
ein grosses Buch zu schreiben wer."

It surely was not without its influence on Flade's fate that it was just the years of his accusation and trial which saw the appearance of the Faust *Volksbücher*; and it is possible that his fate was not without its counter-influence on the popular interest in the Faust story.

¹ *Epitome Ann. Trev.* (Trier, 1676), p. 691. "Quando rursum domestica Magorum infamia Treviris, in præcipuæ etiam dignitatis persona, Theodorico reorum Judice atque urbis Præto, ipso non diffitente, emanavit. Qui quidem, ut ex Actis Judicialibus notum, rudibus annis, curiositate libri, quo Dæmon, ad secretas artes tradendas evocabatur, ductus, cum legeret mox præsentem, honestâ viri specie, Dæmonem habuit. Qui ad studia, quorum amore tenebatur se eidem promotorem obtulit: nec quicquam postulavit obsequii, nisi, ut cum sermo ita ferret, diceret: *Infernum non adeò esse calidum, nec Dæmonem tam nigrum esse, quàm vulgus fingeret.*

"Et quidem tantum literis jurisque demum scientia excelluit, ut Principi à consiliis factus, Judiciis demum etiam præsideret. Sed cum sensim eum abduxisset Dæmon longius, impetrassetque, ut Magorum conventibus, larvâ ipse tectus, interesset, ideoque in quæstionibus exercendis à se conspectos facilius convinceret, fefellit denique pleno in consensu Dæmon, larvamque detraxit; unde à suis consortibus in societatem criminis vocatus, licet diu restiterit; quod ab invidia, non veritate, profectam accusationem sontium examinatores crederent: tamen postremò testimoniis obrutus, postquam sine noxa cujusquam se hoc crimen admisisse diu frustra contendisset, cessit justitiæ. . . . Cognomentum tamen Rei, munerumque quæ obiit gravitatem, consultò quorundam in gratiam dissimulamus."

The oddest thing about this odd tale is that Masen claims to know it "ex Actis Judicialibus."

protector of witches is probably himself a witch, wrote this startling sentence: "In our own times Dr. Vlaet, one of the councillors of the Elector of Trier, tried this with all his might and main; but to him stoutly opposed himself Peter Binsfeld with a learnedly written confutation of his error—to wit, his book 'On the Confessions of Witches.'" "This Vlaet," he adds, "being arrested, at last confessed his crime and deceit, and was burned at the stake."¹

The statement is not incredible. True, Bishop Binsfeld himself, who first published his book in 1589,² the very year of Flade's trial and death, does not mention his name³; but there is much in the book that is hardly less significant. In the preface to this first edition he expressly tells us that he prints it in the hope of dispelling a skepticism which hindered the punishment of witches in his own home.⁴ It is to

¹ Delrio, *Disquisitiones magicæ* (Louvain, 1599-1601), lib. v., § 4 (vol. iii., p. 36). Flade had already been mentioned at lib. ii., qu. 12; and in later editions he is again named at lib. v., § 16. In the earlier draft of Delrio's book, in the National Library at Brussels (codex 3633: *De superstitione et malis artibus*), Flade is not mentioned; but the passage quoted appears unchanged in all the revisions of the printed work. Delrio, I think, never visited Trier, though in a letter to Justus Lipsius (Burmman's *Sylloges epistolarum*, Leyden, 1731, vol. i.) of June 3, 1591, he speaks of meaning to do so ("Cogito hinc Treviros, atque illinc ad vos," etc.); but between that city and Liège intercourse was constant, and in the same letter Delrio mentions the arrival, while he was writing, of messages "quas tabellarius Trevirensis attulit." Moreover Delrio's book, which made much stir in the learned world, must have been at once known to his fellow-Jesuits at Trier; and, though Binsfeld was dead (in 1598), there were many (as Father Ellentz or Christoph Brouwer) who must have known whether the statement about Flade was true and who could have been trusted to prevent an error's recurrence in later editions.

² See note, p. 13 above.

³ This is not strange. Even when, in a later edition, Binsfeld had occasion to confute Loos, who had written a book in reply to him, he out of professed courtesy suppressed his adversary's name; and Loos himself had been not less considerate. Moreover, as we have already seen, *all* Trier writers of the time conceal Flade's name—doubtless out of regard for his family. Both the Flades and the Homphaei continued to hold positions of dignity in the Electorate.

⁴ Being the more willing to publish it, he says, "quantò certius cognovi plures esse, . . . qui profecto aut propria privataque affectione depressi, aut dæmonum illusionem excæcati, non cognoscunt, nec sentiunt, nos omnes in hac

judges, above all, that from beginning to end his book is addressed: their sluggishness, their errors, their doubts, receive his longest and most earnest paragraphs. Nor is what he combats a mere general incredulity as to the worth of the witch-confessions; it is a particular form of it—the form represented not by the physician Weyer, whose heresies on this point were the current ones, but by the long-dead jurist Ponzinibius, who did not question the testimony of the witches against themselves, but denied all validity to their denunciation of others. “I have wished,” says Binsfeld, “the principal scope of my treatise to be the question, whether faith is to be put in the confession of witches against their accomplices”; and only for the better elucidation of this does he treat the general question at all. That the objections of Ponzinibius are matters of present importance he proves by an illustration: “I remember,” he says, “myself to have heard from a certain jurist (whether in earnest or in jest I cannot say) that he cared naught for a thousand denunciations.” And he devotes the closing paragraphs of his work to refuting those who explain the denunciations by the theory that the Devil can himself impersonate whom he will at the witch-sabbaths.¹

Now, the only tribunal in Bishop Binsfeld's neighborhood, of whose sluggishness, so far as extant records show, he could have reason to complain, was that of which Dietrich Flade was the head. Witch-trials this court also had, even under his presidency, as with so zealous a public prosecutor as Johann Zandt it could hardly help having; but, as compared with the terrible activity of its rural neighbors or with its own after Flade's death, there is reason enough to suspect it of sloth.² As if to prove that its rival, the ecclesi-

patria ob multitudinem Maleficorum et Sagarum, non solum periclitari in vita, fortunis rebusque omnibus ad humanæ vitæ conservationem necessariis, sed etiam gravissimo animarum salutis discrimini exponi.”

¹ And it is to be noted how the original preface is dropped, and all the proportions of the work changed, in the later editions, when he has the book of Loos and the theories of Weyer to answer.

² That witches had been condemned by it, we know from Flade's own mouth, for when asked, in the course of his confession, how, knowing himself guilty of

astical court at Trier, shared none of this caution, the learned Official at its head, Bartel Bodegem, contributed to Binsfeld's book an introductory poem, in which he too attacks such judicial heresies.¹

Moreover, these views coincide wholly with what little we know of Flade's opinions. There is nothing in his trial to suggest that he doubted the existence of witches; but we have seen how he repeatedly tried to meet the accusations against him by urging that the Devil must have assumed his person. Hardly could the torture itself drive him from this position; and, when forced to confess against others, he over and over again qualified his accusation by adding: "But whether it was himself in person or only the Evil One in his form I cannot say." And it could hardly have been mere selfish cowardice, when, on the morning after his first taste of the torture, Johann Zandt and Dr. Hultzbach asked him what conclusion he had reached during the night, he replied: "This evil is not to be helped by severity; but through penitence, sorrow, and penance many might be won back, if only mercy were shown them."² Therefore, whether it were the stout obstinacy of Greth Braun at the beginning of his dealings with witches, or only his own costly experience at the end, that suggested them, it seems tolerably clear that before his death Dietrich Flade held the opinions which Peter Binsfeld fought; and the phrase in which we have heard the Jesuit witness of his death describe

just such crimes, he could yet help condemn others to death, he could only reply that not he, but the Assessors, pronounced the sentence, and that he only confirmed it by breaking the staff. ("Weill er sich in diesen unnd dergleichen stucken selbst schuldigh gewust, wie er dan andere zum thodt verurtheilen helfen kunnen? Sagt er hab kein urtheill gesprochen, sonder die Scheffen, unnd er hab allein die urtheill mit brechungh dess stabs confirmirt." (Flade trial, p. 223.)

¹ Bartholomaeus von Bodeghem (as he wrote his own name) was Official at Trier from 1578 to 1608. He was a native of Delft, and was a correspondent of both the elder and the younger Grotius. His rich collection of books, bequeathed to the Jesuits, is now a part of the City Library at Trier, and its volumes on witchcraft attest his interest in that subject. Is it significant, however, that his verses were not reprinted by Binsfeld in subsequent editions, a fresh *Carmen contra maleficos* by one "A. v. Bruele, S. Th. D.," being substituted?

² Flade trial, p. 195.

his relation to the court which condemned him points strongly to the earlier date.

Nor is it inconsistent with this that those who later wrote against the persecution say nothing of his views; for by his confession he had become the best argument of their opponents. So when, a year or two after Flade's death, there came to the University of Trier the fiery Dutch professor, Cornelius Loos, who, led by Weyer's reasoning into a more thorough-going skepticism, dared to write a book in reply to Binsfeld, it was only the dark allusions inserted by the latter, in the second edition of his work, to the confession of a learned man, by which the witch-sabbath was proved no dream of deluded old women merely, that drove him to mention Flade at all.¹ And the canon, Linden, who, though an eye-witness, must have been but a youth, and not till a quarter-century later wrote that scathing account of the persecution at Trier by which it is chiefly known to history, may well have forgotten, if he ever knew, the hesitation of the judge whom he is content with enumerating among its victims.²

¹ I know, cries Loos (in his *De vera et falsa magia*, lib. i., cap. 39), whom you mean by the "virī docti," whose confession of witchcraft you urge. "Quantū hīc conjectura consequi licet, scio et mecum unā plurimi, quisnam doctor, et quinam alii sunt: si ab eruditione commendati, non jam quæro. Verūm ut una hirundo (sicut in proverbio est) non facit ver; nec unus et alter fortē insulsus et infatuatus doctor . . . fidem in re ardua nequaquam faciunt. . . . Ut modō non discutiatur, ne parū hīc instructi mox offendantur, tum prudentes et rem præsentem hanc intelligentes, invisā prolixitate graventur: num illi, quorum tacitis nominibus ingeritur mentio, delati citiūs de magiæ crimine fuerint, quā verē convicti: tum calumniis consternati, et ignominia turbati, ad hæc quæstioni liberis personis, tum eruditione et dignitate conspiciis indigne subjecti: et pœnis tum contumeliosis, tum acerbis divexati, extortum potiūs emisierint confessionem, quā veram dederint: ut infelici vitæ misera morte semel finem facerent." He promises, indeed, that "de hac in sequentibus, prout institutum foret, fusiūs dicetur." But these later pages were perhaps never written. Only a few sheets of his book had been printed when it was seized by the ecclesiastical authorities, and for centuries it was thought lost, until, in 1886, it was my good fortune to find the manuscript of the first two of its four books on the shelves of the Stadt-Bibliothek at Trier. Since then, so much of it as had been printed has been unearthed at the library of Cöln.

² This cardinal passage may be found in Hontheim, *Hist. Trev. Dipl.*, iii. (p. 170, note), and in the *Gesta Trev.*, ed. Wytenbach and Müller; but neither of these follows with absolute accuracy Linden's autograph (codex 1359

But had Dr. Flade's opinions aught to do with his fate? We may never know. Whatever their remoter share in it, few modern students of the story, I think, will doubt that its chief agent was the Freiherr Zandt von Merl. But there are many ways in which the Judge may have stood in the way of the Governor. Johann Zandt was, it is true—as might be much more fully shown—one of the most zealous of witch-persecutors, and, it is to be feared, not one of the most disinterested. There is abundant reason to suspect him of impatience of the city's slowness to share the panic.¹ Beyond that, all is conjecture.

of the Trier Stadt-Bibliothek), and I therefore transcribe it here with care from the manuscript :

“ Quia vulgo creditum, multorum annorum continuatam sterilitatem à strigibus et maleficis diabolicâ invidiâ causari ; tota patria in extinctionem maleficarum insurrexit. Hunc motum juvabant multi officiati ex hujusmodi cineribus aurum et divitias sperantes. Unde tota Diocesi in oppidis et villis per Tribunalia currebant selecti accusatores, Inquisitores, Apparitores, Scabini, Judices, Lictores, qui homines utriusque sexus trahebant in causam et quæstiones, ac magno numero exurebant. Vix aliquis eorum qui accusati sunt, supplicium evasit. Nec parvum fuit Magnatibus in urbe Trevirensi. Nam Prætor cum duobus Consulibus, Senatoribus aliquot et Scabinis incinerati sunt. Canonici diversorum Collegiorum, Parochi, Decani rurales in eadem fuere damnatione. Tandem eousque furentis populi [et] Judicum insania processerat sanguinem et prædam sitientium, ut vix inventus fuerit, qui non aliquâ huius sceleris maculâ notaretur. Interim Notarii, Actuarii et Caupones ditescebant. Carnifex generoso equo instar aulici nobilis ferebatur, auro, argentoque vestitus : uxor ejus vestium luxu certabat cum Nobilioribus. Supplicio affectorum liberi exulabant ; bona publicabantur : deficiebat Arator et Vinitor, hinc sterilitas. Vix putatur sævior pestis aut atrocior hostis peragrassæ Trevirensium fines, quàm hic immodicæ inquisitionis et persecutionis modus : plurima apparebant argumenta non omnes fuisse noxios. Durabat hæc persecutio complures annos ; et nonnulli qui Justitiæ præerant, gloriabantur in pluralitate palorum, ad quorum singulos, singula humana corpora Vulcano tradita.

“ Tandem cum hæc sentina assiduo Vulcano non exhauriretur ; depauperarentur autem subditi ; leges inquisitionibus et Inquisitoribus eorumque quæstui et sumptibus latae et exercitæ sunt ; subitoque sicut in bello, deficiente pecuniæ nervo, cessavit impetus Inquirentium. Observatum fuit paucos, opes ex hac laniena corrasas ad tertios hæredes transtulisse.”

The verses hereto added by Wyttenbach are not in Linden's MS. In 1599 Linden was already canon of St. Simeon and J. U. D. His chronicle breaks off at 1626 ; but he was still living in 1637, and is said to have died in 1639.

¹ Nobody who has read Linden's words will count it rash to suspect him of avarice. His victims were largely rich men. In 1591 the Elector himself was

Had he accomplices? Were the Jesuits his allies? Were they his tools, or was he theirs? The ablest of the historians of witchcraft has charged their order with using the witch-persecution as a cloak for the punishment of heresy and seeking to burn as witches those whom under the law of the Empire they could no longer burn as heretics; and he bases this charge largely on the history of the persecution at Trier.¹ After a careful study of the documents left us, I find as yet no reason to share his view. The heretics were indeed not yet rooted out at Trier. Persecution for heresy went on side by side with persecution for witchcraft.² It would have been strange, in sooth, if the two Satanic crimes were never associated in fervid minds; nor could one wonder if those who severed themselves religiously from the sympathy of their neighbors had been most easily suspected of so unnatural a sin as witchcraft.³ Heresy could surely not be expected to mitigate the severity of their judges. But that this suspicion was actually felt, or that the Jesuits ever consciously confused the two crimes, I find scant evidence.⁴

forced to limit by an edict the exorbitant costs of the trials. In 1595 a St. Maximin witch, Meyers Crist of Riol, testified that, though she knew she had been accused of witchcraft, she took no steps to clear herself, because "sie sehe woll wie es geschaffen, dan die Hern brennen allein die Reichen, und drachten dem gut allein nach" (see her trial, in Trier Stadt-Bibliothek). Could fear have had its share, too, with Johann Zandt? In 1591 he told Nicolas Fiedler he would gladly have spared him, but for the common cry from everywhere outside the city that "Ich, Schultheiss unnd Scheffen wollen keine gerechtigkeit administriern, mit Ahmhudung [Anmuthung] wir seien solchen verdamblichen lasters villicht auch schuldig," wherefore they "habenn darumb krafft unserer eidt unnd pflicht, Auch unsere Personen zu entschuldigen, denn Anfang mit euch unnd andern denuntiirten Personen machen muessen."

¹ Soldan, *Geschichte der Hexenprocesse* (Stuttgart, 1843), pp. 358-361; and *neu bearbeitet von H. Heppe* (Stuttgart, 1880), ii., pp. 33-37.

² The Jesuit letters are full of it. In 1588, we are told, sixty persons at Trier abjured their heresy. Not until 1596 do we read that "non fere ulli sunt hac infecta labe in hac Urbe."

³ Thus in Protestant lands, as at Paderborn, the Jesuits were themselves suspected of complicity with the Devil and of the use of witchcraft.

⁴ The darkest fact is their constantly harboring the boy-informers; for, alas, the instances we have met were by no means the only ones. Again and again we hear of it; and even so late as 1599 we learn from them how a "puer annorum trium et decem, veneficiis ad nocturna nefandaque consortia traduce-

There is no savor of heresy in the witch-confessions left to us, though every effort was made to trace witchcraft to Protestantism, and though all the older witches were made to confess that it came into the Electorate with the raid of Albert of Brandenburg, in 1552. The Devil at Trier was, in truth, a very orthodox Devil, who always spoke of the Virgin Mary as "the Bride," and insisted on his servants renouncing the Saints as well as the Godhead, and on their treating the sacrament as the veritable body of Christ. Nay, we read, in the letter of the Trier Jesuits for 1588, that "of all the nets of Satan which he devotes himself to weaving for the ruin of good people, this is perhaps the most notable that those whom he can nowise seduce from the pure fount of the Roman faith by the teachings of heretics" he leads into witchcraft.¹

At all events, Dietrich Flade was no Protestant. He confessed,² indeed, that he had harbored religious doubts, and even ascribed to them his fall into the power of Satan; but the one doubt he named—a questioning of the need of the sacrifice of Christ for man's salvation—was not one of those that divided the warring faiths. All his life he had been a leader of the Catholic party; and his most devoted friend till death was apparently his Jesuit confessor, Father Ellentz. And if it seems strange that men so subtle as the Jesuit fathers could be played upon by the boy-accomplices of Johann Zandt, one must remember that a Justus Lipsius was even then standing sponsor to the witch-code of a Delrio. Such men had once for all turned their backs on the protests of the carnal reason.

batur, cœpit inde personas et scelera detegere," and how they saved him from the molestations of Satan. That the Jesuits were the most ardent promoters of both persecutions goes without saying. They boasted that they had almost a monopoly of the spiritual care of the witches. That they had great power of life and death is clear from their stories of those spared at their request.

¹ In 1591 Johann Zandt complained to his colleagues of the court that "dass laster der Zauberey dermassen weit eingerissen, dass balt die frombsten, und so man darvur gehalten, darmit besodelt gefonden werden." Binsfeld expressly names excessive piety as a ground for suspicion of witchcraft.

² Flade trial, pp. 193, 194.

Nor is it hard to see by what means the Governor won their hearts. In their letter for 1588 we read, in touching detail, how "the man foremost at Trier in authority, wealth, and station, a man companionable and affable to all," falling into conversation with a woman of low degree, was suddenly bewitched by her with such an illness that no remedies could put him out of his pain till some of the fathers came to his relief with masses, prayers, and sacred music; how this man, because, as his high office required, he was wont to enforce the laws severely against these wicked crones, was often thus assailed with witchcraft; and how, when once a peasant woman offered him some eggs, and the boy who was with him had taken them in his cap, the eggs were no sooner emptied out and the cap put back on the boy's head than the lad was seized with a frenzy of pain, which was only stilled by his rushing to the nearest church and plunging his head into the holy-water font. The woman, of course, was tortured into confession, and explained how she had prepared the eggs for the destruction of the great man. And in the Jesuit letter for 1589, in the same breath in which they tell us of the death of Flade and his fellows, they add with joy that at a public dinner the Governor "did not hesitate to say that he would be unwilling to fill so troublesome and dangerous an office, were he not so greatly helped by our devotion in preparing the souls of the witches to meet death bravely." What wonder that a man who knew so well how to use the superstition and the vanity of his fellows should have prospered in his crimes as in his ambitions?¹

But, if to Johann Zandt belongs the largest share in the fate of Dietrich Flade, one only less great belongs to His Electoral Grace, Johann VII. of Trier. Who may have

¹ Binsfeld, too, was a dupe of Johann Zandt; to him he owed that remarkable story of the power of consecrated church-bells over the witches—an indirect result of which, perhaps, was the custom, kept up at Trier for centuries, of ringing the city church-bells all night throughout the month of May. In 1599 Zandt had left the Governorship for the higher post of Landhofmeister; and in 1611, when the worthy chronicler, Johann Mechtel, had the honor of sitting next him at dinner, he was still thriving in that office.

stood beside or behind him in his action we can but guess; a certain querulousness and a sovereign contempt of exactitude in his rescripts savor of his unaided hand. Nor may we know whether he was most moved by personal fear or by superstitious zeal, or perchance by something more than these. The sincerity of his belief in witchcraft it is hard to doubt; and touching is the firmness of his conviction that whatever is said after priestly absolution, at the risk of their souls, by men and women in the face of death must be true. Nay, even in those later and to our eyes far more damaging insinuations against Flade's purity and honor as a magistrate he must have put some faith, or he would hardly have chosen to lay them before that jurist's academic colleagues. Yet there is much beside their evident malice to make us hesitate fully to credit them. The non-réply of the theological faculty, the general esteem in which Dr. Flade stood, the almost eulogistic words of the Jesuit Brouwer, the absence of such charges in the testimony upon his trial, and the silence of opponents like Binsfeld and the Jesuit letter-writers, who could have pointed with his fault so tempting a moral, not to mention his own repeated appeals to the faithfulness of his official service, if not conclusive of his innocence, ought surely to outweigh charges so suspiciously partisan. Not even in the torture did he confess to any lapse from honesty; and not legend itself, though it ascribed his wealth to diabolic aid, ever dreamed it gained by diabolic methods. That the old Judge loved money may well have been true; but the love of money could hardly have been criminal which refused to make use of the means by which his fellow-magistrates were everywhere enriching themselves—the persecution of witches. It was of this persecution in the district of Trier that Linden wrote: "Notaries, copyists, and innkeepers grew rich. The executioner rode on a blooded horse, like a courtier, clad in gold and silver; his wife vied with noble dames in the richness of her array." "Not," he adds, "till suddenly, as in war, the money gave out, did the zeal of the inquisitors flag." Two years after Flade's death, Johann VII. himself had to

interpose with an edict to check the impoverishment of his subjects by the witch-hunters.¹

Nay, the Elector himself has not wholly escaped the suspicion of avarice. May not the wealth of Flade have played another part in hastening his fate? Confiscation of the property of witches was not usual at Trier²; but there is still extant a letter of the Elector's,³ wherein he informs the civic authorities of Trier that, "inasmuch as we find among Dr. Dietrich Flade's property a note specifying four thousand gulden in gold as in the keeping of the city of Trier, the disposition of which for peculiar reasons, as you perhaps may know, belongs to us," therefore the sum may be divided among the parish-churches of the city. Now, this was but a small part of his wealth; for there also remains an inventory of his property, taken in 1590 by the town-clerk of Trier, which shows it to have been vast.⁴ Is it possible,

¹ It may be found in Hontheim, *Hist. Trev. Dipl.*, iii. The original is still at Trier (codex 2529 of the Stadt-Bibliothek).

² Brouwer expressly commends the Elector because "è damnatorum bonis, quod legibus poterat, nihil sibi fiscus vindicaret." By the charter of 1580 were relinquished, out of special grace, to the citizens of Trier, all confiscations, "ausserhalb denselben, so in Kayserlichen rechten ausstrucklich begrieffen sind"; and Binsfeld repeatedly tells us (as on p. 23 of the ed. of 1589) that witches were thus exempt from confiscation, complaining in the same breath that "quidam judices cum ex confiscatione bonorum nihil habere possint, sub aliis coloribus vel expensarum, vel vacantiarum aut laborum, in rei veritatem, quod abominandum est, et contra justitiam et æquitatem, ita confiscant Reorum bona, ut pupilli et viduæ non rarò ad summam necessitatem redigantur." In 1591 Nicolas Fiedler *did* bequeath his property, as is clear from the records of his trial. The words of Linden, which have misled Soldan and others, therefore apply, I think, only to those who were banished. But in Flade's case the same misunderstanding of his letter which we have noted above (p. 37) may have served the Elector as a pretext for confiscation. Dr. Kraus, I know not on what authority, says that his house at Pfalzel was confiscated.

³ Of March 4, 1591. The original, signed by Johann's own hand, is in codex 1618. g. of the Trier Stadt-Bibliothek, and a copy of it in codex 1502 of the same library. The "Flade-Stiftung" so created still flourishes at Trier.

⁴ This inventory, cited by Wyttenbach and Müller in their notes to the *Gesta Trev.*, I have not been able to find. They give as its title: "General-Inventarium aller Güter, so dem Ehrenvesten und Hochgelehrten Herrn Diederichen Flade Doctor, Schultheissen zu Trier selbigen zugestanden, welche in seinem Hause theils, und im Rathhause zu unterschiedlichen Tagen und Zeiten inventaryrt worden." It is doubtless that of p. 38, note 2, above.

then, that it was his riches that cost him reputation and life? What profit, beyond his fees on the trial, could have been hoped by Johann Zandt von Merl, it is vain to guess; but, if any still suspect the Jesuits, it will be remembered that on them, above all, the wealth of Johann VII. was lavished.

Yet a kindlier conjecture offers itself. "A wealthy person," says the letter of the Trier Jesuits for 1589, "absolved by priests of our order from the crimes of a whole life," left by will a sum of many thousands in gold for the relief of the poverty of needy burghers, monks, and priests, founding what is called a *mons pietatis*."¹ And it must be added that his own mention of his "inheritance" on the morning of his death lends something to the likelihood of this solution.² May not the Elector have been only the administrator of his estate?

It is, then, still possible that, as most scholars have believed, Dietrich Flade owed his death chiefly, if indirectly, to his hesitancy in the persecution of witches.

Perhaps I have lingered too long over the story of a man whom the world has seemed willing to forget. Dietrich Flade was not a martyr—scarcely even a hero. Little as we know of him, it is clear that he died for something less than a principle, and flinched at last before the end came. Yet it is something to know that, even in that most drearily doctrinaire of ages, there lived plodding men of affairs, who, spite of dogma and of panic, clung to their common-sense and their humanity, and with such firmness as was in them breasted the fate that came.

¹ "Homo copiosus totius vitæ criminibus absolutus, opera nostrorum."

² One of those establishments for loaning money to the poor, better known to us by their French name of *monts-de-piété*.

³ He not only speaks of his "heredität," but directs the payment of his debts and of certain gifts, and that "wo sichs findt, dass ich etwas unordentlichs oder woecherlichs uffgehaben und empfangen, soll wiederumb gegeben werden."

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